

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



February 15, 2011

Shawna Freels, City Clerk
City of Gilroy
7351 Rosanna Street
Gilroy, CA 95020-6197

Dear Ms. Freels:

This letter is to acknowledge receipt on January 12, 2011 of the City of Gilroy submittal pertaining to Ordinance Numbers 2010-16 and 2010-17 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing.

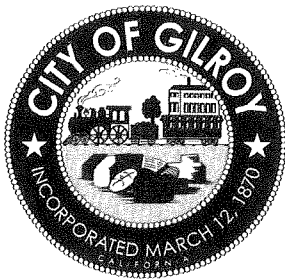
As a reminder, local modifications are specific to a particular edition of the Code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the Code is published. In addition, should you receive Fire Protection District ordinances for ratification, it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention State Housing Law Program Manager, rather than the Commission.

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



City of Gilroy

7351 Rosanna Street
Gilroy, California
95020-6197

Shawna Freels, City Clerk

Business (408) 846-0204
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<http://www.cityofgilroy.org>

January 11, 2011

Dave Walls, Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

RE: Filing of local code and amendment adoption, including findings of fact for the adoption,
and amendment of the CBSC.

Dear Director Walls:

Please find enclosed Ordinances 2010-16 and 2010-17 of the City of Gilroy, California,
adopting and amending the 2009 International Codes and amendments to the 2010 California
Building Standards Code. The findings of fact and specific changes are incorporated in the
ordinances included in this mailing.

Sincerely,

Shawna Freels, CMC

City Clerk

2011 JAN 12 PM 3:36
CALIFORNIA BUILDING STANDARDS COMMISSION

ORDINANCE NO. 2010-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GILROY ADOPTING THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE, VOLUMES 1 AND 2, WITH THE CALIFORNIA FIRE CODE, CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 9, WITH APPENDICES B, C AND J, INCLUDING LOCAL AMENDMENTS AND AMENDING TO SECTION 10.10 and 10.11 OF CHAPTER 10 OF THE GILROY CITY CODE.

WHEREAS, Section 10.9 of the Gilroy City Code provides that the latest edition of the California Fire Code shall be submitted to the City Council for adoption subject to local modifications and changes; and

WHEREAS, the latest edition of the California Fire Code is the 2009 International Fire Code with amendments adopted by the State of California as the 2010 California Fire Code; and

WHEREAS, California has adopted the 2010 California Fire Code with amendments as part of the California Building Standards Code Title 24, Part 9; and

WHEREAS, California Health and Safety Code section 17958 authorizes a city or county to make changes in provisions published in the California Building Standards Code or other regulations, but specifies that if a city or county does not amend, add, or repeal ordinances or regulations to impose those requirements or make changes or modifications in those requirements upon express findings, the provisions published in the California Building Standards Code or other promulgated regulations shall be applicable to the city or county and shall become effective 180 days after publication, which date of effectiveness is January 1, 2011; and

WHEREAS, California Health & Safety Code section 17958.5 authorizes a city or county to make changes or modifications in the requirements contained in the provisions of the California Building Standards Code and other adopted regulations if the city or county

determines that the changes or modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, California Health & Safety Code section 13143.5 authorizes a city or county, by ordinance, to make changes or modifications that are more stringent than the requirements published in the California Building Standards Code relating to fire and panic safety and certain other regulations; and

WHEREAS, the Silicon Valley area, which includes this City, is within a very active seismic area and local soil conditions can be highly expansive and are prone to shrink and swell during seasonal drying and wetting; and

WHEREAS, portions of the City are in hillside areas that are hazardous fire areas that have only limited fire suppression forces and facilities available for the protection of life and property; and

WHEREAS, city fire protection and suppression services for buildings are limited and therefore require supplemental fire suppression services such as automated fire sprinkler systems; and

WHEREAS, the City has local climatic considerations including temperatures ranging from below freezing to over one hundred degrees, local geological considerations including the presence of seismic activity and expansive clay soils, and local topographical considerations including extensive hillside construction that is prone to erosion; and

WHEREAS, the City has participated in a County-wide effort over many months to make uniform amendments to the 2009 International Fire Code with 2010 California Fire Code amendments, throughout the cities in the county that share similar local climatic, geological and topographical considerations; and

WHEREAS, the City Fire Chief and staff recommend that some local amendments to the 2009 International Fire Code and 2010 California Fire Code are necessary as are set forth herein; and

WHEREAS, a duly noticed public hearing was held prior to the adoption of this 2009 International Fire Code with 2010 California Fire Code amendments and local amendments thereto by the City Council on November 1, 2010; and

WHEREAS, the adoption of this Ordinance is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a); and

WHEREAS, the City Council has reviewed all of the written materials and considered all of the oral testimony presented to it on this matter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GILROY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I

This Ordinance shall be known and cited as the City of Gilroy Fire Code.

SECTION II

The City of Gilroy does adopt by reference that portion of the International Fire Code, 2009 Edition, volumes 1 and 2, including Appendix Chapters B, C and J, together with the California Fire Code 2010 Edition and Errata, with modifications, additions and changes recommended by the Fire Chief as set forth in Section III of this Ordinance.

Section 10.9 of Article II of Chapter 10 of the Gilroy City Code is hereby amended to read:

Sec. 10.9 Fire Code Adopted.

There is hereby adopted by the City Council for the purpose of prescribing regulations and governing conditions hazardous to life and property from fire or explosion, and providing penalties for the violation thereof that certain code known as the International Fire Code with the California Fire Code amendments to apply in the City of Gilroy.

The latest edition of the above codes, together with any changes or modifications that are more stringent than the requirements published in the California Building Standards Code relating to fire and panic safety and other regulations shall be submitted to the City Council from time to time for approval by the Council by ordinance. A copy of the ordinance shall be kept on file in the office of the Fire Chief and office of the City Clerk for public review.

Section 10.10 Fire code appendix amendments.

Adopt by reference Appendices B, C and J.

Reason: These appendices are consistent with the Codes and Standards used. These appendices were adopted on a county-wide basis. The prior language amending Appendix Chapter 1 is no longer needed as the CFC has brought this section into the regular Chapter 1 sections. Appendix Chapter 1 no longer exists.

SECTION III

(1) AMEND THE 2009 IFC/2010 CFC SECTION NO. 101.1 IN ITS ENTIRETY TO READ AS FOLLOWS:

101.1 Title. These regulations shall be known as the Fire Code of the City of Gilroy, herein referred to as 'this code'.

REASON FOR AMENDMENT: The model code requires the local agency to insert appropriate language to identify this as the Gilroy Fire Code.

(2) AMEND THE 2009 IFC/2010 CFC SECTION NO. 103.1 IN ITS ENTIRETY TO READ AS FOLLOWS:

103.1 General. The Fire Marshal carries out the functions of the fire code official on behalf of the Fire Chief and implements, administers and enforces the provisions of this code. The Fire Marshal's office is established within the City of Gilroy as the office of Fire Prevention and is located in the Building, Life and Environmental Safety Division, of the Community Development Department.

REASON FOR AMENDMENT: The model code requires the local agency to insert appropriate language. The language provided is consistent with the current structure of the Fire Marshal function in Gilroy. This maintains the current status of the fire prevention program.

(3) AMEND THE 2009 IFC/2010 CFC SECTION NO. 108.1 IN ITS ENTIRETY TO READ AS FOLLOWS:

108.1 Board of appeals established. The Building Board of Appeals appointed by the City shall act as the Building Board of Appeals for this code.

REASON FOR AMENDMENT: The model code requires the local agency to insert appropriate language. The language provided is consistent with the current code and processes for the appeals process in Gilroy.

(4) AMEND THE 2009 IFC/2010 CFC TABLE 105.6.8 IN ITS ENTIRETY TO READ AS FOLLOWS:

**TABLE 105.6.8
PERMIT AMOUNTS FOR COMPRESSED GASES¹**

TYPE OF GAS	AMOUNT (cubic feet) ²
	X 0.0283 for m ³
Corrosive	200
Flammable (except cryogenic and liquefied petroleum gases)	200
Highly toxic	Any amount
Inert and simple asphyxiant	200
Irritant	200
Moderately toxic	20
Other health hazards	200
Oxidizing (including oxygen)	200
Pyrophoric	Any amount
Radioactive	Any amount
Sensitizer	200
Toxic	Any Amount
Unstable (reactive)	Any amount

For SI: 1 cubic foot = 0.02832m³.

- 1 Refer to Chapters 27, 30, 32, 35, 37, 40 and 41 for additional requirements and exceptions.
- 2 Cubic feet measured at normal Temperature and pressure.

REASON FOR AMENDMENT: To maintain the current permit structure used to regulate compressed gases and to stay consistent with the hazardous materials requirements of the CUPA

program under the California State Health and Safety Codes. This is also a County-wide amendment.

(5) AMEND THE 2009 IFC/2010 CFC, TABLE 105.6.10 TO READ IN ITS ENTIRETY AS FOLLOWS:

**TABLE 105.6.10
PERMIT AMOUNTS FOR CRYOGENIC FLUIDS**

TYPE OF CRYOGENIC FLUID	INSIDE BUILDING (gallons)	OUTSIDE BUILDING (gallons)
Flammable	More than 1	55
Inert	55	55
Oxidizing (includes oxygen)	10	50
Physical or health hazard not indicated above	Any Amount	Any Amount

For SI: 1 gallon = 3.785 L

REASON FOR AMENDMENT: To maintain the current permit structure used to regulate cryogenic materials and to stay consistent with the hazardous materials requirements of the CUPA program under the California State Health and Safety Codes. This is also a County-wide amendment.

(6) AMEND THE 2009 IFC/2010 CFC SECTION 105.6.20 TO READ IN ITS ENTIRETY AS FOLLOWS:

105.6.20 Hazardous Materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in tables 105.6.8, 105.6.10, 105.6.20. This includes radioactive materials with more than one microcurie (37,000 becquerel) of radioactive material not contained in a sealed source or more than 1 millicurie (37,000,000 becquerel) of radioactive material in a sealed source or sources, or any amount of radioactive material for which a specific licenses from the Nuclear Regulatory Commission is required. Also included are any materials deemed by the State of California to be listed on a hazardous materials business plan pursuant to Chapter 6.95 or defined as hazardous wastes in the California Code of Regulations (CCR) Title 22.

REASON FOR AMENDMENT: To maintain the current permit structure used to regulate radioactive materials and to stay consistent with the hazardous materials requirements of the CUPA program under the California State Health and Safety Codes. This is also a County-wide amendment.

(7) AMEND THE 2009 IFC/2010 CFC TABLE 105.6.20 TO READ IN ITS ENTIRETY AS FOLLOWS:

**TABLE 105.6.20
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS¹**

TYPE OF MATERIAL	AMOUNT
Carcinogens	10 pounds
Combustible liquids	
Inside	25 gallons
Outside	55 gallons
Corrosive materials:	
Gases	See Table 105.6.8
Liquids	55 gallons
Solids	500 pounds
Cryogenics	See Table 105.6.10
Explosive materials	Any Amount
Flammable materials:	
Gases	See Table 105.6.8
Liquids	See Section 105.6.16
Solids	10 pounds
Highly toxic materials:	
Gases	Any amount
Liquids	Any amount
Solids	Any amount
Moderately toxic gas	20 cubic feet
Organic peroxides:	
Liquids: Class I-II	Any Amount
Liquids: Class III	1 gallon
Liquids: Class IV	2 gallons
Liquids: Class V	No Permit Required
Solids: Class I-II	Any Amount
Solids: Class III	10 pounds
Solids: Class IV	20 pounds
Solids: Class V	No Permit Required
Oxidizing materials:	
Gases	See Table

TYPE OF MATERIAL	AMOUNT
Liquids: Class 4 Liquids: Class 3 Liquids: Class 2 Liquids: Class 1 Solids: Class 4 Solids: Class 3 Solids: Class 2 Solids: Class 1	105.6.8 Any amount 1 gallon 10 gallons 55 gallons Any amount 10 pounds 100 pounds 500 pounds
Other health hazards: Liquids Solids	55 gallons 500 pounds
Pyrophoric materials: Gases Liquids Solids	Any amount Any amount Any amount
Radioactive materials: Gases Liquids Solids	Any Amount See Section 105.6.20 See Section 105.6.20
Toxic materials: Gases Liquids Solids	See Table 105.6.8 10 gallons 100 pounds
Unstable (reactive) materials: Liquids Class 4 & 3 Class 2 Class 1 Solids Class 4 & 3 Class 2 Class 1	Any Amount 5 gallons 10 gallons Any Amount 50 pounds 100 pounds
Water-reactive materials: Liquids Class 3 Class 2 Class 1 Solids Class 3	Any amount 5 gallons 55 gallons Any Amount

TYPE OF MATERIAL	AMOUNT
Class 2	50 pounds
Class 1	500 pounds

For SI: 1 gallon = 3.785 L, 1 pound = 0.454kg.

REASON FOR AMENDMENT: To maintain the current permit structure used to regulate hazardous materials, and to stay consistent with the hazardous materials requirements of the CUPA program under the California State Health and Safety Codes. This is also a County-wide amendment.

(8) AMEND THE 2009 IFC/2010 CFC SECTION 105.7.25 TO READ IN ITS ENTIRETY AS FOLLOWS:

105.6. 25 Lumber yards and wood working operations. An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet per year or to conduct woodworking operations involving mass production or involving more than one of each type of machine, or where machines are used continuously (as opposed to intermittently) or substantial products of sawdust may be a problem. See Chapter 19.

REASON FOR AMENDMENT: The underlined text is a Gilroy amendment to maintain and continue the existing permit process in order to regulate combustible dust producing woodworking operations as described in Chapter 19 of the Fire Code.

(9) AMEND THE 2009 IFC/2010 CFC SECTION 105.6.46 TO READ IN ITS ENTIRETY AS FOLLOWS:

105.6. 46 Wood products. An operational permit is required to store chips, hogged material, lumber, plywood, logs, firewood or pallets in excess of 200 cubic feet (6m³).

REASON FOR AMENDMENT: The underlined text is a Gilroy amendment to include large quantities of wood including logs, firewood and pallets to the scope of wood products that can pose serious fire fighting problems. This clarifies that wood products would include logs, firewood, and pallets in excess of 200 cubic feet.

(10) AMEND THE 2009 IFC/2010 CFC SECTION 105 BY ADDING SECTION 105.6.48 TO READ IN ITS ENTIRETY AS FOLLOWS:

105.6. 48 Vacant or abandoned premises. An operational permit is required for a fire safety evaluation, inspection and preplan program for premises, including the ground, structures or buildings as described in Section 311 of this code.

REASON FOR AMENDMENT: This is a Gilroy amendment to provide for a permit process for inspection and review of premises that are left vacant for long periods. The International Fire Code provides that the property owner maintain the property, including fire protection systems. However there is not a process established within the code to implement the requirements. This amendment will provide for the Fire Marshal's office to administer these requirements under a permit process. This is primarily intended for large buildings that are left vacant and subject to vandalism and unauthorized uses. It would then provide for the Fire Marshal's office to conduct periodic safety inspections and to provide preplan and contact information for the Fire Department in case of emergencies. Buildings such as the former Wal-Mart building, vacant warehouses owned by Union Pacific Railroad and the former Indian Motorcycle/Nob Hill on 10th Street are examples of buildings that have been vacated and are constantly found to have vandalism and safety issues, including fire system shut off, actual fires and dumping.

(11) AMEND THE 2009 IFC/2010 CFC SECTION NO. 109.3 TO READ IN ITS ENTIRETY AS FOLLOWS:

109.3 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor; provided, however, that where the City Attorney or his or her duly authorized agents has determined that such action would be in the best interest of justice, the City Attorney may specify in the accusatory pleading, citation or amendment thereto that the violation shall be prosecuted as an infraction. Infraction fines are implemented pursuant to Gilroy City Code Section 1.7. Each day that a violation continues after due notice has been served shall be deemed a separate offence.

REASON FOR AMENDMENT: To identify the method and types of enforcement processes to be used to enforce the code. The model code requires the local agency to insert appropriate language. The language provided is consistent with the current code and procedures.

(12) AMEND THE 2009 IFC/2010 CFC SECTION NO. 202 BY ADDING NEW DEFINITIONS TO READ AS FOLLOWS:

CARCINOGEN is a substance that causes the development of cancerous growths in living tissue. A chemical is considered a carcinogen if:

1. It has been evaluated by the International Agency for Research on Cancer and found to be a carcinogen or potential carcinogen, or
2. It is listed as a carcinogen or potential carcinogen in the latest edition of the Annual Report on Carcinogens published by the National Toxicology program, or
3. It is regulated by OSHA as a carcinogen.

DEVICE. Device is an appliance or piece of equipment that plays an active part in the proper functioning of the regulated systems. Examples include, but are not limited to the following: smoke detectors, heat detectors, flame detectors, manual pull stations, horns, alarms, bells, warning lights, hydrants, risers, FDCs, standpipes, strobes, control panels, transponders, and other such equipment used to detect, transmit, initiate, annunciate, alarm, or respond according to the system design criteria.

OTHER HEALTH HAZARD MATERIAL is a hazardous material which affects target organs of the body, including but not limited to, those materials which produce liver damage, kidney damage, damage to the nervous system, act on the blood to decrease hemoglobin function, deprive the body tissue of oxygen or affect reproductive capabilities, including mutations (chromosomal damage) or teratogens (effect on fetuses).

SENSITIZER is a chemical that causes a substantial proportion of exposed people or animals to develop an allergic reaction in normal tissue after repeated exposure to the chemical.

WORKSTATION is a defined space or independent principal piece of equipment using hazardous materials where a specific function, laboratory procedure or research activity occurs. Approved or listed hazardous materials storage cabinets, flammable liquid storage cabinets or gas cabinets serving a workstation are included as part of the workstation. A workstation is allowed to contain ventilation equipment, fire protection devices, electrical devices, and other processing and scientific equipment.

REASON FOR AMENDMENT: To maintain the definitions used to regulate Hazardous Materials and Hazardous Materials Occupancies as used in the City's Hazardous Materials Ordinance and to stay consistent with the agencies within Santa Clara County. This is also a County-wide amendment.

(13) AMEND THE 2009 IFC/2010 CFC SECTION 316 BY ADDING SECTION NO. 316.6 TO READ IN ITS ENTIRETY AS FOLLOWS:

316.6 Roof Guardrails at Interior Courts. Roof openings into interior courts that are bounded on all sides by building walls shall be protected with guardrails. The top of the guardrail shall not be less than 42 inches in height above the adjacent roof surface that can be walked on. Intermediate rails shall be designed and spaced such that a 12-inch diameter sphere cannot pass through.

Exception:

Where the roof opening is greater than 600 square feet in area.

REASON FOR AMENDMENT: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs. This amendment is to protect emergency responders where there are interior openings such as interior court yards and sky light openings that extend to the roof. Guard rails will prevent firefighters from falling from the building, especially at night.

The limitation of 600 sqft was intended to provide this protection for small openings that would not necessarily be evident. Larger openings were assumed to be evident and/or known by responders to be present.

(14) AMEND THE 2009 IFC/2010 CFC SECTION NO. 404.2 TO READ IN ITS ENTIRETY AS FOLLOWS:

404.2 Where required. An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings.

1. Group A buildings having an occupant load of 100 or more persons.
2. Group B buildings having an occupant load of 500 or more persons
3. Group E: See regulations in Title 19 California Code of Regulations §3.13.
4. Group F buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
5. Group H.
6. Group I. See regulations in Title 19 California Code of Regulations §3.09.
7. Group R-1. See regulations in Title 19 California Code of Regulations §3.09.
8. Group R-2 college and university buildings.
9. Group R-4
10. High-rise buildings. See regulations in Title 19 California Code of Regulations §3.09.
11. Group M buildings having an occupant load of 500 or more persons.
12. Covered mall buildings exceeding 50,000 sq. ft. (4645 m2) in aggregate floor area.
13. Underground buildings.
14. Buildings with an atrium and having occupancy in Group A, E or M Occupancies.

REASON FOR AMENDMENT: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs to add citations referring to additional State Code requirements. The amendment specifies the frequency for fire and evacuation drills to be consistent with the current practice. In some cases it defers to the State Fire Marshal regulations

(15) AMEND THE 2009 IFC/2010 CFC SECTION NO. 404.3. TO READ IN ITS ENTIRETY AS FOLLOWS:

404.3 Contents. Fire safety and evacuation plan contents be in accordance with Sections 404.3.1 and 404.3.2 and other provisions as deemed necessary by the Fire Chief. A map or diagram of the facility, building(s), and site or campus may be required that includes preplan information for as requested for use by fire responders.

REASON FOR AMENDMENT: This is a Gilroy amendment that includes recommendations by the Santa Clara County Fire Chiefs. The County Chiefs amendment allows for additional information as required. The Gilroy amendment specifically calls out the need for maps or diagrams to be used for fire responder preplanning, to be provided upon request of the Fire Chief.

(16) AMEND THE 2009 IFC/2010 CFC TABLE 405.2 TO READ IN ITS ENTIRETY AS FOLLOWS:

**FIRE AND EVACUATION DRILL
FREQUENCY AND PARTICIPATION**

GROUP OR OCCUPANCY	FREQUENCY	PARTICIPATION
Group A	Quarterly	Employees
Group B ^c	Annually	Employees
Group E	<u>Monthly^a</u>	<u>All Occupants</u>
Group F	Annually	Employees
Group I	<u>See §3.09 Title 19, CCR</u>	
Group R-1	<u>See §3.09 Title 19, CCR</u>	
Group R-2 ^d	Two annually	All occupants
Group R-4	Annually each shift	Employees ^b
High-rise buildings ^e	<u>See §3.09 Title 19, CCR</u>	

- a. Also See §3.13 Title 19, CCR.
- b. Fire and evacuation drills in residential care assisted living facilities may be exempted from complete evacuation of the premises in accordance with Section 408.10.5 when approved by the fire code official. Where occupants receive habitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program when practicable.
- c. Group B buildings having an occupant load of 500 or more persons or 50 or more employees of one company.
- d. Applicable to Group R-2 college and university buildings only.
- e. Applicable to high-rise office buildings only

REASON FOR AMENDMENT: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs to add citations referring to additional State Code requirements. The amendment specifies the frequency for fire and evacuation drills to be consistent with the current practice. In some cases it defers to the State Fire Marshal regulations.

(17) DELETE FROM THE 2009 IFC/2010 CFC CHAPTER 4 THE FOLLOWING SECTIONS IN THEIR ENTIRETY:

408.10.4 Drill frequency.

408.10.5 Resident participation.

REASON FOR AMENDMENT: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs to be consistent with the State Fire Marshal regulations.

(18) AMEND THE 2009 IFC/2010 CFC SECTION 503.1.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

503.1.1 Building and Facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend within 150 feet (45,720 mm) of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. When a Fire Department access roads is part of a public or private roadway it shall comply with Gilroy Street Standards as approved by the City Engineer.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs, further modified to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards.

(19) AMEND THE 2009 IFC/2010 CFC SECTION 503.2.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), and an unobstructed vertical clearance of 13 feet 6 inches (4115 mm). Fire apparatus access road width may be increased to 26 ft in width and maximum distance of 30 ft from Buildings when the building is greater than 3 stories

Exceptions:

1. When there are not more than two Group R, Division 3, or Group U occupancies, the access road width may be modified by the fire code official.
2. When an approved security gate is installed in accordance with Section 503.6, the gate may be less than 20 ft if approved by the fire code official.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs, further modified to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards.

(20) AMEND THE 2009 IFC/2010 CFC SECTION 503 TO ADD SECTION 503.7 TO READ IN ITS ENTIRETY AS FOLLOWS:

503.7 Traffic Calming Devices. Traffic Calming Devices such as speed humps, traffic circles or other physical measures intended to control vehicle speed on fire apparatus access roads are prohibited unless approved by the fire code official.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment represents no change from the current standard used by Gilroy in reviewing traffic calming methods

(21) AMEND THE 2009 IFC/2010 CFC SECTION 503.6 TO READ IN ITS ENTIRETY AS FOLLOWS:

503.6 Security Gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. When electronic gates are installed across one or more of the fire access roadways they shall be provided with automatic opening devices that can be activated by the fire department during a response to the location. Electric gate operators, where provided shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM 2200.

REASON FOR AMENDMENT: This is a Gilroy amendment continued from the last code cycle and it is to maintain consistency with current Gilroy Fire Department Policies for use of automatic opening devices for gates to new gated developments where response time is impeded by lack of guard shacks/security staffing. The amendment represents no change from the current standard used by Gilroy

(22) THE 2009 IFC/2010 CFC SECTION 504.3 TO READ IN ITS ENTIRETY AS FOLLOWS:

504.3 Stairway access to roof. New multi story buildings shall provide roof access from a protected stair well. Such stairwells shall be identified by signage that it goes to the roof. Single story buildings may be required to have an exterior ladder when the Fire Chief determines that fire access is needed. When solar panel systems are added to a roof additional access may be required by the Chief. The number and location of roof access stairwells and / or exterior ladders shall be determined by the Fire Chief. Access from stairwells and exterior ladders may be protected from unauthorized access by locking with either KNOX locks or providing a key in the building's KNOX box.

REASON FOR AMENDMENT: This is a Gilroy amendment to maintain consistency with the current Gilroy Fire Department Policy for roof access. Roof access may not be possible using current fire apparatus and/or building design. In such cases having an access way to the roof is needed to allow for fire fighting operations. Addition of large solar arrays may limit the location that Fire can access a commercial building roof top. Having an exterior ladder located to provide safe access to the roof would ensure that Fire responders could gain safe access to the roof.

(23) ADD A NEW SECTION TO THE 2009 IFC/2010 CFC 504.4 TO READ IN ITS ENTIRETY AS FOLLOWS:

504.4 Access Control Devices. When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to the building, are installed, such devices shall be approved by the fire code official. All access control devices shall be provided with an approved means for deactivation or unlocking by the fire department. Access control devices shall also comply with Chapter 10 Egress.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment represents no change from the current standard used by Gilroy for maintaining access to buildings that have security devices (bars etc) that impede emergency access.

(24) AMEND THE 2009 IFC/2010 CFC SECTION 505.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

505.1 Premises Identification. New buildings shall have illuminated address numbers. Address numbers shall be clearly visible from the street. Addressing shall be from the street that the main entry faces and shall be visible from that street or driveway. If the building is recessed, obstructed or at an angle such that the front door is not visible from the street, an additional address sign shall be provided that is visible from the street. All main address numbers shall be a minimum of 6 inches in height with a 1/2 inch stroke and placed to read from left to right and/or top to bottom, and located at least 60 inches high from the ground. Address numbers shall be consistent with Gilroy standardized addressing guidelines. When access doors and roadways are provided to both the front and rear of a building, address numbers shall be provided on both sides of the building.

REASON FOR AMENDMENT: This is a Gilroy amendment to maintain consistency with current Gilroy Security Ordinance for requiring illuminated addresses for new construction. The amendment represents no change from the current standard used by Gilroy.

(25) AMEND THE 2009 IFC/2010 CFC BY ADDING SECTION 505.3 to read as follows:

505.3 Complex premises identification. When there are several multi-family units within a development, or single family units do not face a street or where units have an alley as the only driveable access (paseo frontage), an illuminated site diagram shall be installed at each driveway entrance to the development that shows the location and addresses of all units and the fire system device locations.

REASON FOR AMENDMENT: This is a Gilroy amendment to maintain consistency with current Gilroy Security Ordinance for signage for complexes where addressing is confusing due to building and/or street design. Alley type access developments have the units addressed from a

street, but the alley is typically perpendicular to the street. This makes identification of the address difficult without having a complex diagram. This amendment represents no change from the current standard used by Gilroy.

(26) AMEND THE 2009 IFC/2010 CFC SECTION 507.4 TO READ IN ITS ENTIRETY AS FOLLOWS:

507.4 Water supply test. The fire code official shall be notified for a water supply test. Water supply tests shall be conducted or witnessed by the fire code official or approved documentation shall be provided to the fire code official prior to final approval of the water supply system.

REASON FOR AMENDMENT: The underlined text is added as a Gilroy amendment to maintain consistency with current Gilroy policies and practices. The Fire Marshal's office has the equipment and charges a fee to conduct water flow tests. Persons other than authorized city staff are not to manipulate, tamper with or flow test city fire hydrants without being supervised by city staff. The amendment represents no change from the current standard used by Gilroy.

(27) AMEND THE 2009 IFC/2010 CFC SECTION 507.5.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

507.5.1 Where required. Where a portion of the facility, building, or outdoor handling, process or storage area requiring a permit, is hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility, building or outdoor storage area, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

1. For Group R-3 occupancies in hillside areas, a warf (dry standpipe) hydrant may be provided in lieu of a private hydrant if there is a public fire hydrant within 50 ft of the home's driveway at street level.
2. The distance may be increased to 300 ft when all structures are provided with automatic fire protection, all storage is a minimum of 20 ft or a distance twice the storage height (whichever is greater) of materials from any exposures or property lines that can be built upon, and a fire department access roadway is provided around each building and storage area.

REASON FOR AMENDMENT: This amendment incorporates a County-wide amendment for hydrant protection to combustible wood storage, and is to maintain the current City of Gilroy fire hydrant placement standard. The "warf" type hydrant provides remote water supply without burdening a homeowner with the installation and management of a private fire hydrant. The amendment represents no change from the current standard used by Gilroy

(28) AMEND THE 2009 IFC/2010 CFC SECTION 510.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

510.1 Emergency responder radio coverage in buildings. All buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communications system of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communications system. Emergency responder radio coverage systems shall be installed in accordance with Section 510 and Appendix J.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs to maintain emergency responder radio communications. The amendment clarifies that the system shall meet the requirements of Appendix J, which is also adopted by reference. It also supplements the Gilroy Building Security Ordinance.

(29) AMEND THE 2009 IFC/2010 CFC SECTION 510 BY ADDING SECTION 510.1.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

510.1.1 Obstruction by new buildings. When in the opinion of the fire code official, a new structure obstructs the line of sight emergency radio communications to existing buildings or to any other locations, the developer of the structure shall provide and install the radio retransmission equipment necessary to restore communications capabilities. The equipment shall be located in an approved space or area within the new structure.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs to maintain emergency responder radio communications. It also supplements the Gilroy Building Security Ordinance.

(30) ADD TO THE 2009 IFC/2010 CFC SECTION 605.11 IN ITS ENTIRETY TO READ AS FOLLOWS:

605.11 Immersion Heaters. All electrical immersion heaters used in dip tanks, sinks, vats and similar operations shall be provided with approved over-temperature controls and low liquid level electrical disconnects. Manual reset of required protection devices shall be provided.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standard required for immersion heaters. Such heaters without emergency shut off were the cause of several fires prior to its original adoption into the local codes over a decade ago.

(31) ADD TO THE 2009 IFC/2010 CFC SECTION 608.6.3 IN ITS ENTIRETY TO READ AS FOLLOWS:

608.6.3 Failure of Ventilation System. Failure of the ventilation system shall automatically disengage the charging system.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current requirement that ventilation be maintained where a battery charging system could be producing explosive hydrogen gas.

(32) AMEND THE 2009 IFC/2010 CFC SECTION NO. 806.1.1 IN ITS ENTIRETY TO READ AS FOLLOWS:

806.1.1 Display inside buildings. The display of Christmas trees and other decorative vegetation in new and existing buildings shall be in accordance with the California Code of Regulations, Title 19, Division 1, §3.08 and Sections 806.1 through 806.5.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It takes into account the State Fire Marshal requirements for display of Christmas trees and allows for treated cut trees to be displayed in unsprinklered buildings.

(33) AMEND THE 2009 IFC/2010 CFC SECTION NO. 903.2 IN ITS ENTIRETY TO READ AS FOLLOWS:

903.2 Where required. Approved automatic sprinkler systems, in new and existing buildings and structures including covered parking and storage areas, are to be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.18 whichever is the more restrictive.

For the purposes of this section, firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

1. An automatic sprinkler system shall be provided throughout all new buildings and structures. **Exception:** Other than residential occupancies, buildings and structures that do not exceed 1,000 square feet of building area.
2. An automatic sprinkler system shall be provided throughout existing buildings and structures when alterations or repairs are made that create conditions described in Sections 903.2.1 through 903.2.18.
3. An automatic sprinkler system shall be provided throughout existing buildings and structures. **Exception:** One-time addition to an existing building that does not total more than 1,000 square feet of building area.
5. An automatic sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%.
6. An automatic sprinkler system shall be provided when there is any change in the character of occupancy or in the use of any existing building when the fire code official determines the change would place the building into a more hazardous division of the

same occupancy group, or into a different occupancy group, which constitutes a greater life safety exposure or increased fire risk.

REASON FOR AMENDMENT: This is based on a county wide amendment recommended by the Santa Clara County Fire Chiefs. Each city in Santa Clara County has included either their prior threshold or the new lower thresholds for when automatic fire sprinklers are required in new or existing commercial structures or exiting residential structures. This amendment maintains the current 1,000 sq. ft. threshold used in Gilroy for new and expanded commercial structures and additions to residential structures. The new state residential building code requires all residential structures, regardless of size to be fire sprinklered, which will replace the current residential threshold of 1,000 sqft in Gilroy.

(34) AMEND THE 2009 IFC/2010 CFC SECTION NO. 903.1.1 IN ITS ENTIRETY BY TO READ AS FOLLOWS:

903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1.1 and local standards.

1. For new buildings having no designated use or tenant, the minimum sprinkler design density shall be Ordinary Hazard Group 2.

(35) AMEND THE 2009 IFC/2010 CFC SECTION NO. 903.3.1.2 IN ITS ENTIRETY BY TO READ AS FOLLOWS:

903.3.1.2 NFPA 13R sprinkler systems. Where allowed in buildings of Group R, up to and including four stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13R and local standards.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs to provide a consistent standard for commercial fire sprinkler system design throughout the County. This amendment maintains the current standard used in Gilroy.

(36) AMEND THE 2009 IFC/2010 CFC SECTION NO. 903.3.1.3 IN ITS ENTIRETY BY TO READ AS FOLLOWS:

903.3.1.3 NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems installed in one-and two-family dwellings and townhouses shall be installed throughout in accordance with NFPA 13D and local standards.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs to provide a consistent standard for fire sprinkler system design throughout the County for apartment, condominium and hotel structures.

(37) AMEND THE 2009 IFC/2010 CFC SECTION NO. 912.2 IN ITS ENTIRETY BY TO READ AS FOLLOWS:

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the building for other fire apparatus. The location of fire department connections shall be approved by the fire code official.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs to standardize the location for the Fire Department Connections when installed on fire sprinkler systems. This amendment maintains the current standard used in Gilroy.

(38) ADD TO THE 2009 IFC/2010 CFC SECTION 1404.8 IN ITS ENTIRETY TO READ AS FOLLOWS:

1404.8 Fire Walls. When firewalls are required, the wall construction shall be completed (with all openings protected) immediately after the building is sufficiently weather-protected at the location of the wall(s).

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. This amendment reflects the findings and standards created after the disastrous Santana Row fire. This amendment will allow enforcement of having the firewalls completed as soon as possible to reduce fire losses in the even of a fire during construction. It was this requirement that also mitigated the effects of an arson fire on a town home project that had an arson attack in Gilroy. While the structure was not yet protected by fire sprinklers, the fire walls were up and they kept the fire confined to one unit.

(39) AMEND THE 2009 IFC/2010 CFC SECTION 1411.1 IN ITS ENTIRETY TO READ AS FOLLOWS:

[B] 1411.1 Stairways Required. Each level above the first story in new multi-story buildings that require two exit stairways shall be provided with at least two usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Stairways serving more than two floor levels shall be enclosed (with openings adequately protected) after exterior walls/windows are in place. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

Exception:

For new multi-story buildings, one of the required exit stairs may be obstructed on not more than two contiguous floor levels for the purposes of stairway construction (i.e., installation of gypsum board, painting, flooring, etc.).

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. This amendment reflects the findings and standards created after the disastrous Santana Row fire. This amendment helps ensure that an adequate number of exits is maintained during building construction. It does allow for occasional obstruction of one exit to accommodate construction activities.

(40) ADD TO THE 2009 IFC/2010 CFC SECTION 1411.1.1 IN ITS ENTIRETY READ AS FOLLOWS:

SECTION 1411.1.1 Required Means Of Egress. All new buildings under construction shall have a least one unobstructed means of egress. All means of egress shall be identified in the fire safety plan as required by the fire code official.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. This amendment reflects the findings and standards created after the disastrous Santana Row fire. This amendment helps ensure that at least one exit is maintained for construction personnel.

(41) AMEND THE 2009 IFC/2010 CFC SECTION 1413.1 IN ITS ENTIRETY TO READ AS FOLLOWS:

1413.1 Where required. Buildings three or more stories in height shall be provided with not less than one standpipe for use during construction. Such standpipe shall be provided with fire department hose connections at accessible locations adjacent to usable stairs and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe shall be installed when the progress of constructions is not more than 40 feet (12 192 mm) in height above the lowest level of fire department access. Such standpipe shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

REASON FOR AMENDMENT: This is a Gilroy amendment to maintain the current standard that is required for new buildings of 3 or more stories. The International Fire Code only requires a fire hose standpipe for 4 or more stories. A standpipe in one of the stairwells provides a hose connection for quick fire attack and these are part of the fire sprinkler system riser and therefore have minimal impact upon construction.

(42) ADD TO THE 2009 IFC/2010 CFC SECTION 1802 AMEND THE EXISTING DEFINITION FOR CONTINUOUS GAS DETECTION TO READ IN ITS ENTIRETY AS FOLLOWS:

CONTINUOUS GAS DETECTION SYSTEM. An approved gas detection system where the analytical instrument is maintained in continuous operation and sampling is performed without interruption. Analysis is allowed to be performed on a cyclical basis at intervals not to exceed 30 minutes. In occupied areas where air is re-circulated and not exhausted to a treatment system (e.g. breathing zone), the Chief may require a cyclical basis at intervals not to exceed 5 minutes. The gas detection system shall be able to detect

the presence of a gas at or below the permissible exposure limit in occupiable areas and at or below ½ IDLH (or 0.05 LC 50 if no established IDLH) in unoccupiable areas.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for detection in facilities with toxic gases.

(43) AMEND THE 2009 IFC/2010 CFC SECTION 2701.2.2.2 TO READ IN ITS ENTIRETY AS FOLLOWS:

2701.2.2.2 Health Hazards. The material categories listed in this section are classified as health hazards. A material with a primary classification as a health hazard can also pose a physical hazard.

1. Highly toxic, toxic and moderately toxic.
2. Corrosive materials.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(44) AMEND THE 2009 IFC/2010 CFC SECTION 2702 TO ADD A DEFINITION AS FOLLOWS:

SECONDARY CONTAINMENT. Secondary containment is that level of containment that is external to and separate from primary containment and is capable of safely and securely containing the material, without discharge, for a period of time reasonably necessary to ensure detection and remedy of the primary containment failure.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(45) ADD TO THE 2009 IFC/2010 CFC SECTION 2701.1.2 TO READ AS FOLLOWS:

2701.1.2 Other Requirements. This chapter shall include those parts of Chapter 6.95 (commencing with Section 25500) and Chapter 6.7 (commencing with Section 25280) of the Health and Safety code which impose additional requirements or are more restrictive.

Any person who violates Health and Safety Code SS 25507 shall be subject to the penalties specified in Health and Safety Code SS 25515. The violation of any other

Health and Safety Code Sections specified in this paragraph shall constitute a misdemeanor.

REASON FOR AMENDMENT: This amendment incorporates the State Hazardous Materials and Underground Tank Laws under Health and Safety Code that are implemented with the Fire Code by the City's CUPA program.

(46) ADD TO THE 2009 IFC/2010 CFC SECTION 2703.1.3.1 TO READ AS FOLLOWS:

2703.1.3.1 Toxic, Highly Toxic, Moderately Toxic gases and similarly used or handled materials. The storage, use and handling of toxic, highly toxic and moderately toxic gases in amounts exceeding Table 3704.2 or 3704.3 shall be in accordance with this chapter and Chapter 37. Any toxic, highly toxic or moderately toxic material that is used or handled as a gas or vapor shall be in accordance with the requirements for toxic, highly toxic or moderately toxic gases.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy

(47) ADD TO THE 2009 IFC/2010 CFC SECTION 2703.1.5 TO READ AS FOLLOWS

2703.1.5 Secondary Containment Requirements. A containment system shall be required for all hazardous materials, which are liquids or solids at normal temperature, and pressure (NTP) where a spill is determined to be a plausible event and where such an event would endanger people, property or the environment. Construction shall be substantial, capable of safely and securely containing a sudden release without discharge. Design criteria shall be performance oriented and constructed of physically and chemically compatible materials to resist degradation and provide structural and functional integrity for a period of time reasonably necessary to ensure detection, mitigation, and repair of the primary system. Monitoring of secondary containment shall be accordance with Section 2704.2.2.5.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(48) AMEND THE 2009 IFC/2010 CFC SECTION 2703.2.2.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

2703.2.2.1 Design And Construction. Piping, tubing, valves, fittings and related components used for hazardous materials shall be in accordance with the following:

1. Piping, tubing, valves, fittings and related components shall be designed and fabricated from materials compatible with the material to be contained and shall be of adequate strength and durability to withstand the pressure, structural and seismic stress, and exposure to which they are subject.

2. Piping and tubing shall be identified in accordance with ASME A13.1 and Santa Clara County Fire Chiefs Marking Requirements and Guidelines for Hazardous Materials and Hazardous Waste to indicate the material conveyed.

3. Readily accessible manual valves or automatic remotely activated fail-safe emergency shutoff valves shall be installed on supply piping and tubing at the following locations:

1. The point of use.
2. The tank, cylinder or bulk use.

4. Manual emergency shutoff valves and controls for remotely activated emergency shutoff valves shall be identified and the location shall be clearly visible accessible and indicated by means of a sign.

5. Backflow prevention or check valves shall be provided when the backflow of hazardous materials could create a hazardous condition or cause the unauthorized discharge of hazardous materials.

6. Where gases or liquids having a hazard ranking of:

Health hazard Class 3 or 4

Flammability Class 4

Reactivity Class 4

in accordance with NFPA 704 are carried in pressurized piping above 15 pounds per square inch gauge (psig)(103 Kpa), an approved means of leak detection, emergency shutoff and excess flow control shall be provided. Where the piping originates from within a hazardous material storage room or area, the excess flow control shall be located within the storage room or area. Where the piping originates from a bulk source, the excess flow control shall be located as close to the bulk source as practical.

Exceptions:

2. Piping for inlet connections designed to prevent backflow.
3. Piping for pressure relief devices.

7. Secondary containment or equivalent protection from spills shall be provided for piping for liquid hazardous materials and for highly toxic and toxic corrosive gases above threshold quantities listed in Tables 3704.2 and 3704.3. Secondary containment includes, but is not limited to double walled piping.

Exceptions:

1. Secondary containment is not required for toxic corrosive gases if the piping is constructed of inert materials.
 2. Piping under sub-atmospheric conditions if the piping is equipped with an alarm and fail-safe-to-close valve activated by a loss of vacuum.
8. Expansion chambers shall be provided between valves whenever the regulated gas may be subjected to thermal expansion. Chambers shall be sized to provide protection for piping and instrumentation and to accommodate the expansion of regulated materials.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(49) AMEND THE 2009 IFC/2010 CFC SECTION 2703.2.2.2 TO READ IN ITS ENTIRETY AS FOLLOWS:

2703.2.2.2 Additional Regulation for Supply Piping for Health Hazard Materials. Supply piping and tubing for gases and liquids having a health hazard ranking of 3 or 4 in accordance with ASME B31.3 and the following:

1. Piping and tubing utilized for the transmission of toxic, highly toxic, or highly volatile corrosive liquids and gases shall have welded or brazed connections throughout except for connections within an exhausted enclosure if the material is a gas, or an approved method of drainage or containment is provided for connections if the material is a liquid.
2. Piping and tubing shall not be located within corridors, within any portion of a means of egress required to be enclosed in fire-resistance-rated construction or in concealed spaces in areas not classified as Group H Occupancies.

Exception: Piping and tubing within the space defined by the walls of corridors and the floor or roof above or in concealed space above other occupancies when installed in accordance with Section 415.8.6.3 of the California Building Code as required for Group H, Division 5 Occupancies.

3. Primary piping for toxic, highly toxic and moderately toxic gases shall pass a helium leak test of 1×10^{-9} cubic centimeters/second where practical, or shall pass testing in accordance with an approved, nationally recognized standard. Tests shall be conducted by a qualified "third party" not involved with the construction of the piping and control systems.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara

County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(50) AMEND THE 2009 IFC/2010 CFC SECTION 2703.3.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

2703.3.1 Unauthorized Discharges. When hazardous materials are released in quantities reportable under state, federal or local regulations or when there is a threatened release that presents a threat to health, property or the environment, the fire code official shall be notified immediately in an approved manner and the following procedures required in accordance with Sections 2703.3.1.1 through 2703.3.1.4.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(51) ADD TO THE 2009 IFC/2010 CFC SECTION 2703.5.2 TO READ AS FOLLOWS

2703.5.2 Ventilation Ducting. Product conveying ducts for venting hazardous materials operations shall be labeled with the hazard class of the material being vented and the direction of flow.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(52) ADD TO THE 2009 IFC/2010 CFC SECTION 2703.5.3 TO READ AS FOLLOWS:

2703.5.3 "H" Occupancies. In "H" occupancies, all piping and tubing may be required to be identified when there is any possibility of confusion with hazardous materials transport tubing or piping. Flow direction indicators are required.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(53) AMEND THE 2009 IFC/2010 CFC SECTION 2703.9.8 TO READ IN ITS ENTIRETY AS FOLLOWS:

2703.9.8 Separation of Incompatible Materials. Incompatible materials in storage and storage of materials that are incompatible with materials in use shall be separated.

When the stored materials are in containers having a capacity of more than 5 pounds (2 kg) or 0.5 gallon (2 L), separation shall be accomplished by:

1. Segregating incompatible materials in storage by a distance of not less than 20 feet (6096 mm) and in an independent containment system.
2. Isolating incompatible materials in storage by a noncombustible partition extending not less than 18 inches (457 mm) above and to the sides of the stored material.
3. Storing liquid and solid materials in hazardous material storage cabinets.
4. Storing compressed gases in gas cabinets or exhausted enclosures in accordance with Sections 2703.8.5 and 2703.8.6. Materials that are incompatible shall not be stored within the same cabinet or exhausted enclosure.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(54) AMEND THE 2009 IFC/2010 CFC SECTION 2703.9.10 TO READ IN ITS ENTIRETY AS FOLLOWS:

2703.9.10 Fire Extinguishing Systems For Workstations Dispensing, Handling or Using Hazardous Materials. Combustible and non-combustible workstations, which dispense, handle or use hazardous materials, shall be protected by an approved automatic fire extinguishing system in accordance with Section 1803.10.

Exception: Internal fire protection is not required for Biological Safety Cabinets that carry NSF/ANSI certification where quantities of flammable liquids in use or storage within the cabinet do not exceed 500 ml.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(55) AMEND THE 2009 IFC/2010 CFC SECTION 2704.2.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

2704.2.1 Spill Control for Hazardous Material Liquids. Rooms, buildings or areas used for storage of hazardous material liquids shall be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain a spill from the largest single vessel by one of the following methods:

1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.

2. Liquid-tight floors in indoor locations or similar areas provided with liquid-tight raised or recessed sills or dikes.
3. Sumps and collection systems.
4. Other approved engineered systems.

Except for surfacing, the floors, sills, dikes, sumps and collection systems shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid-tight sills or dikes are provided, they are not required at perimeter openings having an open-grate trench across the opening that connects to an approved collection system.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(56) AMEND THE 2009 IFC/2010 CFC SECTION 2704.2.2 TO READ IN ITS ENTIRETY AS FOLLOWS:

2704.2.2 Secondary Containment for Hazardous Material Liquids and Solids. Buildings, rooms or areas used for the storage of hazardous materials liquids or solids shall be provided with secondary containment in accordance with this section.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(57) DELETE FROM THE 2009 IFC/2010 CFC Table 2704.2.2 IN ITS ENTIRETY

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. This table is not needed and is superseded by the other amendments proposed to keep the current standard used by the agencies in Santa Clara County.

(58) AMEND THE 2009 IFC/2010 CFC SECTION 2705.4.4 TO READ IN ITS ENTIRETY AS FOLLOWS:

2705.4.4 Emergency Alarm. When hazardous materials having a hazard ranking of 3 or 4 in accordance with NFPA 704, or toxic gases exceeding 10 cu. ft. and any amount of highly toxic compressed gases are transported through corridors or exit enclosures, there shall be an emergency telephone system, a local manual alarm station or an approved alarm-initiating device at not more than 150-foot (45,720 mm) intervals and at each exit and exit-access doorway throughout the transport route. The signal shall be relayed to an

approved central, proprietary or remote station service or constantly attended on-site location and shall also initiate a local audible alarm.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy

(59) AMEND THE 2009 IFC/2010 CFC SECTION 3102 TO ADD A DEFINITION AS FOLLOWS:

CORROSIVE LIQUID. Corrosive liquid is a liquid which, when in contact with living tissue, will cause destruction or irreversible alteration of such tissue by chemical action. Examples include acidic, alkaline or caustic materials. Such material will be considered corrosive when the Ph is 2 or less or 12.5 or more, except for foodstuffs or medicine. Included are Department of Transportation and Title 22, California Code of Regulations, 66261.22 classed corrosives.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

(60) AMEND THE 2009 IFC/2010 CFC SECTION 3301.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

3301.1 Scope. For explosives requirements see Title 19 California Code of Regulations Chapter 10 and Section 3301.1.1 of this Chapter. For fireworks requirements see Title 19 California Code of Regulations, Chapter 6, Section 3301.1.2 of this Chapter, and Gilroy City Code Section 10A.

Exceptions:

1. The armed Forces of the United States, Coast Guard or National Guard.
2. Explosives in forms prescribed by the official United States Pharmacopoeia.
3. The possession, storage and use of small arms ammunition when packaged in accordance with DOT packaging requirements.
4. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
5. Items preempted by federal regulations.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. This amendment is administrative in nature directing persons to existing State Law as well as to the local restrictions for explosives and fireworks. It maintains the current standards in Gilroy.

(61) ADD THE 2009 IFC/2010 CFC SECTION 3301.1.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

3301.1.1. Explosives. The possession, manufacture, storage, sale, handling, and use of explosives are prohibited.

Exceptions:

1. Possession, storage, handling and use of explosives for test and research purposes are allowed with permit and approval of the fire code official.
2. Possession, storage, handling and use of squibs, explosive nuts or bolts and similar small quantity explosive devices are allowed with permit and approval of the fire code official.
3. Storage, Sale and Reloading of small arms ammunition in conformance with the requirements of Title 19 and with a permit and approval of the fire code official.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. This amendment is administrative in nature directing persons to existing State Law as well as to the local restrictions for explosives and fireworks. It also includes a Gilroy amendment to allow for small arms ammunition sales, storage, and reloading.

(62) ADD TO THE 2009 IFC/2010 CFC SECTION 3301.1.2 TO READ IN ITS ENTIRETY AS FOLLOWS:

3301.1.2 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks, including those fireworks classified as Safe and Sane by the California State Fire Marshal, are prohibited.

Exceptions:

1. Storage, handling and use of fireworks and pyrotechnic special effects outside of buildings when used for public or proximate audience displays, motion picture, television, theatrical and group entertainment productions when handled and used by a licensed pyrotechnic operator in accordance with Title 19 of the California Code of Regulations and permitted in accordance with this Chapter.
2. Storage, handling and use of pyrotechnic special effects fireworks inside of buildings, equipped throughout with an approved fire sprinkler system, when used for proximate audience displays or special effects in theatrical, television, motion picture and group entertainment productions and when handled and used by a licensed pyrotechnic operator in accordance with Title 19 of the California Code of Regulations and permitted in accordance with this Chapter.
3. The sale and use of Safe and Sane Fireworks pursuant to Gilroy City Code Section 10.A.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. This amendment is administrative in nature directing persons to existing State Law as well as to the local restrictions for fireworks. It maintains the current standards in Gilroy, which allows for safe and sane fireworks to be stored, used and sold during the 4th of July and in conformance to Chapter 10A of the Gilroy City Code.

(63) ADD TO THE 2009 IFC/2010 CFC SECTION 3301.1.3 TO READ IN ITS ENTIRETY AS FOLLOWS:

3301.1.3 Rocketry. The storage, handling, and use of model rockets shall be in accordance with Title 19 of the California Code of Regulations and as approved by the Fire code official.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. This amendment is administrative in nature directing persons to existing State Law as well as to the local restrictions for explosives and fireworks. It maintains the current standards in Gilroy.

(64) ADD THE 2009 IFC/2010 CFC SECTION 3404.2.7.5.8 TO READ IN ITS ENTIRETY AS FOLLOWS:

3404.2.7.5.8 Overfill Prevention. An approved means or method in accordance with Section 3404.2.9.6.6 shall be provided to prevent the overfill of all Class I, II and IIIA liquid storage tanks. Storage tanks in refineries, bulk plants or terminals regulated by Sections 3406.4 or 3406.7 shall have overfill protection in accordance with API 2350.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It eliminates an exemption for certain aboveground petroleum tanks. It maintains the current standard used in Gilroy.

(65) ADD TO THE 2009 IFC/2010 CFC SECTION 3404.2.7.5.9 TO READ IN ITS ENTIRETY AS FOLLOWS:

3404.2.7.5.9 Automatic Filling of Tanks. Systems that automatically fill flammable or combustible liquid tanks shall be equipped with overfill protection, approved by the fire code official that sends an alarm signal to a constantly attended location and immediately stops the filling of the tank. The alarm signal and automatic shutoff shall be tested on an annual basis and records of such testing shall be maintained on-site for a period of five (5) years.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It is based on several accidents that occurred resulting in petroleum going into the storm drain. It requires that an alarm sound and automatic shut off to occur when automatic tank filling procedures are used.

(66) ADD TO THE 2009 IFC/2010 CFC SECTION 3701.3 TO READ IN ITS ENTIRETY AS FOLLOWS:

3701.3 Moderately Toxic Gases With A LC50 Equal To Or Less Than 3000 Parts Per Million. Notwithstanding the hazard class definition in Section 3702, moderately toxic gases with an LC50 less than 3000 parts per million shall additionally comply with the requirements for toxic gases in Section 3704 of this code.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(67) AMEND THE 2009 IFC/2010 CFC SECTION 3702 TO ADD A DEFINITION AS FOLLOWS:

MODERATELY TOXIC GAS. Moderately toxic gas is a chemical or substance that has a median lethal concentration (LC50) in air more than 2000 parts per million but not more than 5000 parts per million by volume of gas or vapor, when administered by continuous inhalation for an hour, or less if death occurs within one hour, to albino rats weighing between 200 and 300 grams each.

Maximum Threshold Quantity (Max TQ) is the maximum quantity of a moderately toxic or toxic gas, which may be stored in a single vessel before a more stringent category of regulation is applied. The following equation shall be used to calculate the Max TQ:

$$\text{Max TQ (pounds)} = \text{LC50 (ppm)} \times 2 \text{ lb.}$$

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases

(68) AMEND THE 2009 IFC/2010 CFC SECTION 3704.1.4 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.4 Automatic Shut-Off Valve. An automatic shut-off valve, which is of a fail-safe to close design, shall be provided to shut off the supply of highly toxic gases for any of the following:

1. Activation of a manual fire alarm system.
2. Activation of the gas detection system.
3. Failure of emergency power.
4. Failure of primary containment.
5. Seismic activity.

6. Failure of required ventilation.
7. Manual activation at an approved remote location.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(69) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.5 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.5 Emergency Control Station. Signals from emergency equipment used for highly toxic gases shall be transmitted to an emergency control station or other approved monitoring station, which is continually staffed by trained personnel.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(70) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.6 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.6 Maximum Threshold Quantity. Toxic gases stored or used in quantities exceeding the maximum threshold quantity in a single vessel per control area or outdoor control area shall comply with the additional requirements for highly toxic gases of Section 3704 of this code. Moderately toxic gases stored or used in quantities exceeding the maximum threshold quantity in a single vessel per control area or outdoor control area shall comply with the additional requirements for toxic gases of Section 3704 of this code.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(71) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.7 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.7 Reduced Flow Valve. All containers of materials other than lecture bottles containing Highly Toxic material and having a vapor pressure exceeding 29 psia shall be equipped with a reduced flow valve when available. If a reduced flow valve is not available, the container shall be used with a flow-limiting device. All flow limiting devices shall be part of the valve assembly and visible to the eye when possible; otherwise, they shall be installed as close as possible to the cylinder source.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(72) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.8 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.8 Annual Maintenance. All safety control systems at a facility shall be maintained in good working condition and tested not less frequently than annually. Maintenance and testing shall be performed by persons qualified to perform the maintenance and tests. Maintenance records and certifications shall be available to any representative of the Fire Department for inspection upon request.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(73) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.9 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.9 Fire Extinguishing Systems. Buildings and covered exterior areas for storage and use of materials regulated by this Chapter shall be protected by an automatic fire sprinkler system in accordance with NFPA 13. The design of the sprinkler system for any room or area where highly toxic, toxic and moderately toxic gases are stored, handled or used shall be in accordance with Section 2704.5.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(74) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.10 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.10 Local Gas Shut Off. Manual activation controls shall be provided at locations near the point of use and near the source, as approved by the fire code official. The fire code official may require additional controls at other places, including, but not limited to, the entry to the building, storage or use areas, and emergency control stations. Manual activated shut-off valves shall be of a fail-safe-to-close design.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide

Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases

(75) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.11 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.11 Exhaust Ventilation Monitoring. For highly toxic gases and toxic gases exceeding threshold quantities, a continuous monitoring system shall be provided to assure that the required exhaust ventilation rate is maintained. The monitoring system shall initiate a local alarm. The alarm shall be both visual and audible and shall be designed to provide warning both inside and outside of the interior storage, use, or handling area.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(76) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.12 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.12 Emergency Response Plan. If the preparation of an emergency response plan for the facility is not required by any other law, responsible persons shall prepare, or cause to be prepared, and filed with the fire code official, a written emergency response plan. If the preparation of an emergency response plan is required by other law, a responsible person shall file a copy of the plan with the fire code official.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(77) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.13 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.13 Emergency Response Team. Responsible persons shall be designated the on-site emergency response team and trained to be liaison personnel for the Fire Department. These persons shall aid the Fire Department in preplanning emergency responses, identifying locations where regulated materials are stored, handled and used, and be familiar with the chemical nature of such material. An adequate number of personnel for each work shift shall be designated.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(78) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.14 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.14 Emergency Drills. Emergency drills of the on-site emergency response team shall be conducted on a regular basis but not less than once every three months. Records of drills conducted shall be maintained.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(79) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.15 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.15 Cylinder Leak Testing. Cylinders shall be tested for leaks immediately upon delivery and again immediately prior to departure. Testing shall be approved by the fire code official in accordance with appropriate nationally recognized industry standards and practices, if any. Appropriate remedial action shall be immediately undertaken when leaks are detected.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(80) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.16 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.16 Inert Gas Purge System. Gas systems shall be provided with dedicated inert gas purge systems. A dedicated inert gas purge system may be used to purge more than one gas, provided the gases are compatible. Purge gas systems shall be located in an approved gas cabinet unless the system operates by vacuum demand.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the currently adopted standard.

(81) ADD TO THE 2009 IFC/2010 CFC SECTION 3704.1.17 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.1.17 Seismic Shutoff Valve. An automatic seismic shut-off valve, which is of a fail-safe to close design, shall be provided to shutoff the supply of highly toxic, toxic and moderately toxic gases with an LC₅₀ less than 3000 parts per million.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(82) AMEND THE 2009 IFC/2010 CFC SECTION 3704.2 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.2 Indoor Storage and Use. The indoor storage or use of highly toxic, toxic and moderately toxic compressed gases shall be in accordance with Sections 3704.2.1 through 3704.2.2.10.3.3. The threshold quantity for highly toxic, toxic and moderately toxic gases for indoor storage and use are set forth in Table 3704.2.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(83) ADD TO THE 2009 IFC/2010 CFC Table 3704.2 TO READ IN ITS ENTIRETY AS FOLLOWS:

Threshold Quantities for Highly Toxic, Toxic and Moderately Toxic Gases for Indoor Storage and Use	
Highly Toxic	0
Toxic	10 cubic feet
Moderately Toxic	20 cubic feet

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases

(84) AMEND SECTION 3704.2.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.2.1 Applicability. The applicability of regulations governing the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be as set forth in Sections 3704.2.1.1 through 3704.2.1.3.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(85) AMEND THE 2009 IFC/2010 CFC SECTION 3704.2.1.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.2.1.1 Quantities Not Exceeding the Maximum Allowable Quantity per Control Area. The indoor storage or use of highly toxic, toxic and moderately toxic gases in amounts exceeding the threshold quantity per control area set forth in Table 3704.2 shall be in accordance with Sections 2701, 2703, 3701, 3704.1 and 3704.2,

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(86) AMEND THE 2009 IFC/2010 CFC SECTION 3704.2.2 1 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.2.2 General indoor requirements. The general requirements applicable to the indoor storage and use of highly toxic and toxic compressed gases shall be in accordance with Sections 3704.2.2.1 through 3704.2.2.10.3.

Moderately toxic gases with an LC₅₀ less than 3000 parts per million shall comply with the requirements for toxic gases in Sections 3704.2.2.1 through 3704.2.2.10.3

All other moderately toxic gases exceeding the threshold quantity shall comply with the requirements for toxic gases in Sections 3704.2.2.1 through 3704.2.2.7.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(87) AMEND THE 2009 IFC/2010 CFC SECTION 3704.2.2.7 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.2.2.7 Treatment Systems. The exhaust ventilation from gas cabinets, exhausted enclosures, gas rooms and local exhaust systems required in Section 3704.2.2.4 and 3704.2.2.5 shall be directed to a treatment system. The treatment system shall be utilized

to handle the accidental release of gas and to process exhaust ventilation. The treatment system shall be designed in accordance with Sections 3704.2.2.7.1 through 3704.2.2.7.5 and Section 505 of the California Mechanical Code.

Exceptions:

1. Highly toxic, toxic and moderately toxic gases storage. A treatment system is not required for cylinders, containers and tanks in storage when all of the following are provided:
 - 1.1. Valve outlets are equipped with gas-tight outlet plug or caps.
 - 1.2. Hand wheel-operated valves have handles secured to prevent movement.
 - 1.3. Approved containment vessels or containment systems are provided in accordance with Section 3704.2.2.3.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(88) AMEND THE 2009 IFC/2010 CFC SECTION 3704.2.2.10.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.2.2.10.1 Alarms. The gas detection system shall initiate a local alarm and transmit a signal to a constantly attended control station when a short-term hazard condition is detected. The alarm shall be both visual and audible and shall provide warning both inside and outside the area where the gas is detected. The audible alarm shall be distinct from all other alarms.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(89) AMEND THE 2009 IFC/2010 CFC SECTION 3704.3 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.3 Outdoor Storage and Use. The outdoor storage or use of highly toxic, toxic and moderately toxic compressed gases shall be in accordance with Sections 3704.3.1 through 3704.3.4. The threshold quantity for highly toxic, toxic and moderately toxic gases for outdoor storage and use are set forth in Table 3704.3.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(90) ADD TO THE 2009 IFC/2010 CFC TABLE 3704.3 TO READ IN ITS ENTIRETY AS FOLLOWS:

Table 3704.3

Threshold Quantities for Highly Toxic, Toxic and Moderately Toxic Gases for Outdoor Storage and Use	
Highly Toxic	0
Toxic	10 cubic feet
Moderately Toxic	20 cubic feet

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(91) AMEND THE 2009 IFC/2010 CFC SECTION 3704.3.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.3.1 Applicability. The applicability of regulations governing the outdoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be as set forth in Sections 3704.3.1.1 through 3704.3.1.3.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(92) AMEND THE 2009 IFC/2010 CFC SECTION 3704.3.1.1 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.3.1.1 Quantities Not Exceeding The Maximum Allowable Quantity Per Control Area. The outdoor storage or use of highly toxic and toxic gases in amounts exceeding the threshold quantity per control area set forth in Table 3704.3 shall be in accordance with Sections 2701, 2703, 3701, 3704.1, and 3704.3.

Moderately toxic gases with an LC50 less than 3000 parts per million in amounts exceeding the threshold quantity in Table 3704.3 shall comply with the requirements for toxic gases in Sections 2701, 2703, 3701, 3704.1 and 3704.3.

Moderately toxic gases in amounts exceeding the threshold quantity in Table 3704.3 shall comply with the requirements for toxic gases in Sections 2701, 2703, 3701, 3704.1 and 3704.3.2.1 through 3704.3.2.5.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

(93) AMEND THE 2009 IFC/2010 CFC SECTION 3704.3.3 TO READ IN ITS ENTIRETY AS FOLLOWS:

3704.3.3 Outdoor storage weather protection for portable tanks and cylinders. Weather protection in accordance with Section 2704.13 and this section shall be provided for portable tanks and cylinders located outdoors and not within gas cabinets or exhausted enclosures. The storage area shall be equipped with an approved automatic sprinkler system in accordance with Section 2704.5.

REASON FOR AMENDMENT: This is a county wide amendment recommended by the Santa Clara County Fire Chiefs. It brings to the Fire Code the original provisions of the county wide Toxic Gas Ordinance. This amendment carries over the current standard for facilities with toxic gases.

SECTION IV

Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5, the City Council of the City of Gilroy finds that each of the modifications, additions and changes to the aforementioned California Fire Code set forth in Section III of this Ordinance are reasonably necessary because of local climatic, geological or topographical conditions, or to impose proper more stringent standards for fire and panic safety. A copy of these findings, together with the modification or changes expressly marked and identified to which each finding refers, shall be filed by the City Clerk with the California Building Standards Commission. Specifically, the City Council finds:

(1) Climatic Findings. The precipitation averages 13.86 inches per year. Approximately 90% of the precipitation falls during the months of November through April, and 10% from May through October. Relative humidity drops to 20 or lower during the dry months (summer). Temperatures have been recorded as high as 108 degrees Fahrenheit. This area has been subject to drought. It is anticipated that drought conditions will continue to occur in the future. Such conditions allow natural vegetation and outdoor combustible materials to be in a dry state for a large portion of the year, making them

ORDINANCE NO. 2010 -16

more susceptible to ignition and rapid burning. These conditions combined create high fire danger during the summer and fall months.

(2) Geological Findings. The region is located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants. This is especially critical in the facilities housing hazardous materials or occupancies requiring safe and quick evacuation in order to get to a safe location. Early warning of fire, early fire suppression and control of spread are important.

(3) Topographical Findings. A major rail corridor through the central portion of town divides the City. There are no overpasses available within the City boundaries. This can impair response and can serve to isolate the City's Fire Response capability. A major highway also divides the City. There are portions of the City where there is only one overpass to access a substantial geographical area. There are no alternate routes within City boundaries; and

The highway is also part of a major truck transportation route. If an accident, or earthquake makes the overpass un-crossable this will isolate the area and impact response times; and The City has a substantial industrial area within a flood plain. Flooding in the area would isolate the area from the City's Fire Response capability; and

The City has areas that are within hillside and open spaces defined as State Response Areas. The grade and narrow and/or lack of roadways impair the Fire Response to these areas. The presence of large areas of natural vegetation that is dry and highly ignitable during the dry and hot summer and fall months can create increase fire responses and impair fire response to other incidents. Water flow in the hillside areas is impacted as fire flows fall below 1500 gpm; and

The City is a great distance from any large metropolitan area. Response times from the nearest metropolitan fire department is a minimum of half an hour and during traffic periods in excess of 45 minutes. This serves to further isolate the City and impair Fire Response as there are fewer fire responders in the immediate area. Information on the nature of an incident in a timely manner is of greater importance than in a metropolitan area where a first alarm sends more personnel than the entire on-duty staffing of the Gilroy Fire Department. Measures which provide early fire detection, suppression and prevention of fire spread are warranted based on these findings.

(4) Fire and Panic Safety Findings – Hazardous Materials. Hazardous Materials use, handling and storage present unique emergency response requirements. The Gilroy Fire Department does not have its own hazardous materials team and the nearest mutual aid team is in excess of 45 minutes response time; and

The City of Gilroy relies solely on ground water for water supply and much of the area of Gilroy is in a recharge area. Hazardous Materials Spills can threaten that supply and additional measures are needed to ensure that these materials do not threaten that supply; and

Because Gilroy is remote from the main metropolitan areas, there are fewer ambulance and hospital services available to provide for large numbers of persons with injuries. Hazardous Materials and other intensive industrial uses place a competing burden on the delivery of fire services. Hazardous Material and/or facilities using, storing hazardous materials require additional controls to ensure that such hazards can be controlled; and

(5) Fire and Panic Safety Findings – Automatic Fire Sprinklers. The City's water system is reliable and capable of providing adequate pressures and reliability to allow the use of automatic fire sprinkler systems to be economical and practical to be included in all new construction. While threats from fires and other disasters can cause the availability for the suppression of fires using standard hose operations. The City's demographics, including but not limited to older residents, residential care homes, home occupations also make quick and effective fire extinguishment in these buildings a public panic and life safety interest.

SECTION V

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Gilroy hereby declares that it would have passed and adopted this Ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION VI

This Ordinance shall be in full force and effect thirty (30) days after its passage and adoption.

The Codes and amendments to the Codes adopted hereunder shall take effect on January 1, 2011.


PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GILROY this 15th
day of November, 2010 by the following vote:

AYES: COUNCILMEMBERS: ARELLANO, DILLON, GARTMAN, TUCKER,
WOODWARD and PINHEIRO


NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: BRACCO

APPROVED:

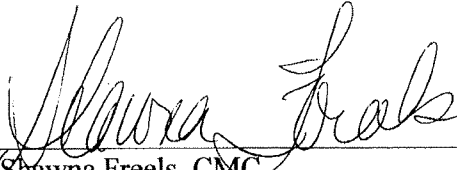

Albert Pinheiro, Mayor

ATTEST:


Shawna Freels, City Clerk

I, SHAWNA FREELS, City Clerk of the City of Gilroy, do hereby certify that the attached Ordinance No. 2010-16 is an original ordinance, or true and correct copy of a City ordinance, duly adopted by the Council of the City of Gilroy at a regular meeting of said Council held on the 15th day of November, 2010, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this 16th day of November, 2010.

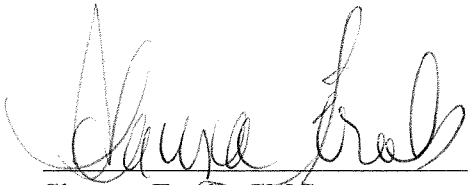
A handwritten signature in cursive script, reading "Shawna Freels", is written over a horizontal line.

Shawna Freels, CMC
City Clerk of the City of Gilroy

(Seal)

I, SHAWNA FREELS, City Clerk of the City of Gilroy, do hereby certify that the attached Ordinance No. 2010-16 is an original resolution, or true and correct copy of a city resolution, duly adopted by the Council of the City of Gilroy at a regular meeting of said Council held on the 15th day of November, 2010, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this 11th day of January, 2011.



Shawna Freels, CMC
City Clerk of the City of Gilroy

(Seal)

ORDINANCE NO. 2010-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GILROY ADOPTING THE FOLLOWING CODES: 2010 CALIFORNIA BUILDING (VOL 1 AND 2), RESIDENTIAL, ELECTRICAL, MECHANICAL, PLUMBING, ENERGY, HISTORICAL BUILDING, FIRE CODES, 2010 CALIFORNIA EXISTING BUILDING CODE WITH APPENDICES A1, A2, A3, A4, AND A5 OF 2009 INTERNATIONAL EXISTING BUILDING CODE, GREEN BUILDING STANDARDS, AND 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE; AND AMENDING SECTION 6.1 OF CHAPTER 6 OF THE GILROY CITY CODE.

WHEREAS, Section 6.1 of the Gilroy City Code provides that the latest edition of the uniform construction codes shall be submitted to the City Council for adoption subject to local changes and modifications; and

WHEREAS, the latest editions of the Uniform Construction Codes of the International Building Code ("IBC") as adopted by the State of California as the 2010 California Building Code ("CBC"), 2010 California Residential Code ("CRC"), 2008 National Electrical Code adopted by the State of California as the 2010 California Electrical Code ("CEC"), 2009 Uniform Mechanical Code adopted by the State of California as the 2010 California Mechanical Code ("CMC"), 2009 Uniform Plumbing Code adopted by the State of California as the 2010 California Plumbing Code ("CPC"), 2010 California Energy Code ("CEnC"), 2010 California Historical Building Code ("CHBC"), 2010 California Existing Building Code ("CEBC"); and 2010 California Green Building Standards Code (CalGreen); and

WHEREAS, California has adopted these Codes, except for the 2009 International Property Maintenance Code, as the California Building Standards Code; and

WHEREAS, California Health and Safety Code § 17958.5 authorizes a city or county to make changes in provisions published in the California Building Standards Code or other regulations, but specifies that if a city or county does not amend, add, or repeal ordinances or regulations to impose those requirements or make changes or modifications in those requirements upon express findings, the provisions published in the California Building Standards Code and other promulgated regulations shall be applicable to the city or county and shall become effective January 1, 2011; and

WHEREAS, California Health & Safety Code section 17958.5 authorizes a city or county to make changes or modifications in the requirements contained in the provisions of the California Building Standards Code and other adopted regulations if the city or county determines that the changes or modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the Silicon Valley area, which includes this City, is within a very active seismic area and local soil conditions can be highly expansive and are prone to shrink and swell during seasonal drying and wetting; and

WHEREAS, portions of the City are in hillside areas that are hazardous fire areas that have only limited fire suppression forces and facilities available for the protection of life and property; and

WHEREAS, fire protection and suppression services for multi-family dwellings and other buildings of three stories or more than thirty feet in height are limited and therefore require supplemental fire suppression services such as automated fire sprinkler systems; and

WHEREAS, the City has local climatic considerations including temperatures ranging from below freezing to over one hundred degrees, local geological considerations including the presence of seismic activity and expansive clay soils, and local topographical considerations including extensive hillside construction that is prone to erosion; and

WHEREAS, the City has participated in a County-wide effort over many months to make uniform amendments to the California Building Standards Code throughout the cities in the county that share similar local climatic, geological and topographical considerations; and

WHEREAS, City staff recommends that some local amendments to the various building codes are necessary as are set forth herein; and

WHEREAS, a duly noticed public hearing was held prior to the adoption of these codes by the City Council on November 15, 2010; and

WHEREAS, this Ordinance is exempt from the requirements of the California Environmental Quality Act of 1970 ("CEQA"), as amended, because it does not involve

an activity that may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the City Council has reviewed all of the written materials and considered all of the oral testimony presented to it on this matter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GILROY
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I

This Ordinance shall be known and cited as the City of Gilroy Building Code.

SECTION II

The following Codes are hereby adopted by reference for the City of Gilroy:

1. The California Building Code, 2010 Edition, which is the 2009 International Building Code, with California amendments and the following appendix chapters: Chapter C, Chapter G, Chapter I and Chapter J are adopted with modifications and changes recommended by the City of Gilroy Chief Building Official ("Building Official") as set forth in Section IV of this Ordinance;
2. The California Residential Code, 2010 Edition, which is the 2009 International Residential Code with California amendments and the following appendix chapters: Chapter H and K is adopted with modifications and changes recommended by the Building Official as set forth in Section V of this Ordinance;

3. The California Electrical Code, 2010 Edition, which is the 2005 National Electrical Code with California amendments is adopted with modifications and changes recommended by the Building Official as set forth in Section VI of this Ordinance.
4. The California Mechanical Code, 2010 Edition, which is the 2009 Uniform Mechanical Code with California amendments and the following appendix chapters: Chapter A, B, C, and D, is adopted with modifications and changes recommended by the Building Official as set forth in Section VII of this Ordinance;
5. The California Plumbing Code, 2010 Edition, which is the 2009 Uniform Plumbing Code with California amendments and only Appendix A, Appendix B, Appendix D, Appendix I, and Appendix K are adopted with modifications and changes recommended by the Building Official as set forth in Section VIII of this Ordinance;
6. The California Energy Code, 2010 Edition, is adopted with no modifications or changes as recommended by the Building Official;
7. The California Historical Building Code, 2010 Edition, published by the International Code Council is adopted with no modifications or changes as recommended by the Building Official;
8. The California Existing Building Code, 2010 Edition, and the following appendix A1, A2, A3, A4, and A5 of the 2009 International Existing Building Code is adopted with no modifications or changes as recommended by the Building Official;

9. The California Green Building Standards Code, 2010 Edition, is adopted with no modifications or changes as recommended by the Building Official;
10. The International Property Maintenance Code, 2009 Edition and appendix A is adopted with modification and changes as recommended by the Building Official as set forth in Section IX of this Ordinance.

SECTION III

Pursuant to California Health and Safety Code § 17958.7, the City Council of the City of Gilroy finds that each of the modifications or changes to the aforementioned Codes are reasonably necessary because of local climatic, geological or topographical conditions. Specifically, the City Council finds:

1. Many of the modifications or changes are reasonably necessary because of the following climatic conditions.
 - (a) The region is within a climate zone that requires compliance with energy efficiency standards for building construction. The amendment adds design flexibility that will add to energy efficiency in construction while maintaining nationally recognized health and safety standards. This reason is hereinafter referred to as “Climatic I.”
 - (b) The region is within a national climate zone that is designated “Very High” on the Termite Infestation Probability Map. This reason is hereinafter referred to as “Climatic II.”

2. Many of the modifications or changes are reasonably necessary because of the following geological reasons.
 - (a) The region is located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants. This reason is hereinafter referred to as "Geological I."
 - (b) The region is located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of flexibility of materials and/or building systems has been a contributing factor to damages that reduced the protection of the life-safety of building occupants and increased the cost of rehabilitation of structures. This reason is hereinafter referred to as "Geological II."
3. Many of the modifications or changes are reasonably necessary because of the following Topographical conditions.
 - (a) Portions of the City are in hillside areas that are hazardous fire areas that have only limited fire suppression forces and facilities available for the protection of life and property. This reason is hereinafter referred to as "Topographical I"

- (b) Portions of the City are in hillside areas that are extensive hillside construction that is prone to erosion. This reason is hereinafter referred to as "Topographical II".
4. Many of the modifications or changes are reasonably necessary because of other climatic, geological or topographical conditions, and these climatic, geological or topographical conditions are described immediately following individual modifications or changes adopted pursuant to this Ordinance.

A copy of these findings, together with the modification or change expressly marked and identified to which each finding refers, shall be filed by the City Clerk with the California Building Standards Commission.

SECTION IV

The following modifications and changes as recommended by the Building Official are adopted to the California Building Code, 2010 Edition, which is the 2009 International Building Code as amended by the State of California:

AMEND SECTION 1.8.4.2 TO READ:

1.8.4.2 Fees. Fees shall be assessed in accordance with the adopted City of Gilroy Comprehensive Fee Schedule.

REASON FOR AMENDMENT:

The City Council reviews and adopts the City of Gilroy Comprehensive Fee Schedule annually. All Building and Development fees are to be assessed from the most current and adopted Comprehensive Fee Schedule.

AMEND SECTIONS 1.8.5, 1.8.7, AND 1.8.8

DELETE SECTIONS 1.8.5, 1.8.7, AND 1.8.8

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REASON FOR AMENDMENT:

Gilroy Municipal Code covers Right of Entry For Enforcement; Alternate Material, Designs, Tests and Methods of Construction; and Appeals Board.

AMEND EXCEPTION SECTION 101.2 TO READ:

Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the California Residential Code.

REASON FOR AMENDMENT:

Match Section R101.2, California Residential Code (CRC) Requirement.

AMEND SECTION 105.2 MODIFYING BUILDING ITEM 2 and 4:

2. Wood fences not over 6 feet high or concrete or masonry wall not over 4 feet high.
4. Concrete and Masonry retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.

REASON FOR AMENDMENTS:

Geological I

AMEND SECTION 105.7 AS FOLLOWS:

105.7 Placement of Permit. The building permit, along with all plans and documentation approved by the building official, shall be kept on the site of the work until final approval has been granted by the building official.

REASON FOR AMENDMENT:

To clarify that the approved plans and documentations are at the job site for inspector and contractor to follow.

AMEND SECTION 109.2 AS FOLLOWS:

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alternations requiring a permit, a fee for each permit shall be paid as required by the adopted current adopted City of Gilroy Comprehensive Fee Schedule.

REASON FOR AMENDMENT:

The City Council reviews and adopts the City of Gilroy Comprehensive Fee Schedule

annually. All Building and Development fees are to be assessed from the most current and adopted Comprehensive Fee Schedule.

AMEND SECTION 109.4 AS FOLLOWS:

109.4 Work commencing before permit issuance. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, the fee for necessary permits shall be double the fee established by the current City of Gilroy Comprehensive Fee Schedule approved by the city council.

REASON FOR AMENDMENT:

The City Council reviews and adopts the City of Gilroy Comprehensive Fee Schedule annually. All Building and Development fees are to be assessed from the most current and adopted Comprehensive Fee Schedule. Doubling the fee is a standard procedure from prior practice and adopted codes.

ADD SECTION 109.7 TO READ AS FOLLOWS:

109.7 Plan review fees. When a plan review is required a plan checking fee shall be paid at the time of submitting plans, calculation and specifications for checking. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items an additional plan review fee may be charged as deemed necessary by the building official at an hourly rate established in the City of Gilroy Comprehensive Fee Schedule adopted by the city council.

REASON FOR AMENDMENT:

To be consistent with previous adopted code.

ADD SECTION 110.7 AS FOLLOWS:

110.7 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the building official such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained and available by the permit holder until final approval has been granted by the building official.

REASON FOR AMENDMENT:

The building official amends and adds this new section to require that the inspection card be available at the jobsite. The inspection card contains inspection description and building inspector signoff information to allow the inspector to follow through on each permit.

AMEND SECTION 402.9 AS FOLLOWS:

DELETE EXCEPTION.

REASONS FOR AMENDMENT:

Geological I and II

AMEND SECTION 403.3 AS FOLLOWS.

DELETE EXCEPTION.

REASONS FOR AMENDMENT:

Geological I and II

AMEND SECTION 404.3 AS FOLLOWS.

DELETE ALL EXCEPTIONS.

REASON FOR AMENDMENT:

Geological I and II

AMEND SECTION 406.10 AS FOLLOWS.

DELETE EXCEPTION 1 AND 2.

REASONS FOR AMENDMENT:

Geological I and II

AMEND SECTION 406.1.4 TO READ::

406.1.4 Separation. Separation shall comply with the following when both the garage and residence are protected by an approved Fire Sprinkler System:

1. The private garage shall be separated from the dwelling unit and its attic area by means of a minimum ½ inch (12.7 mm) gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than a 5/8 inch Type X gypsum board or equivalent. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1- 3/4 inches (34.9 mm) thick, or doors in compliance with Section 715.4.3. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Doors shall be self-closing and self-latching.

2. Ducts in a private garage and ducts penetrating the wall or ceilings separating the dwelling unit from the garage shall be constructed of a minimum 0.019 inch (0.48 mm) sheet steel and shall have no openings into the garage.

Separations shall comply with the following when no approved Fire Sprinkler System serves the residence and/or the garage.

1. The private garage shall be separated from the dwelling unit and its attic area by means of a minimum 5/8 inch Type X gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than a 5/8 inch Type X gypsum board or equivalent. Door opening between a private garage and the dwelling with either solid wood doors or solid or honeycomb core steel doors not less than 1-3/4 inches (34.9 mm) thick, or doors in compliance with Section 715.4.3. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Doors shall be self-closing and self-latching.
2. Ducts in a private garage and ducts penetrating the wall or ceilings separating the dwelling unit from the garage shall be constructed of a minimum 0.019 inch (0.48 mm) sheet steel and shall have no openings into the garage.

REASON FOR AMENDMENT:

Geological I and Geological II.

Amend door thickness is to match the Security Ordinance requirement.

AMEND SECTION 903.2 IN ITS ENTIRELY TO READ:

903.2 Where Required. Approved Automatic sprinkler system in new buildings and structures shall be provided in the locations as set forth in the Gilroy Fire Code and the California Fire Code.

ADD NEW SECTION 903.2.1.1 TO READ:

Section 903.2.1.1 For “automatic fire-extinguishing systems” in new buildings and structures, any conflicts between the 2010 CBC and the Gilroy Fire Code, the Gilroy Fire Code shall prevail.

REASON FOR AMENDMENTS:

To be consistent with the Uniform Fire Code and Local Amendment.

ADD SECTION 1505.1.5 TO READ AS FOLLOWS:

1505.1.5 Roofing. Class B roof covering shall be required for all Hillside Construction.

REASON FOR AMENDMENTS:

Topographical I

ADD SECTION 1613.8 TO SECTION 1613:

1613.8 ASCE (AMERICAN SOCIETY OF CIVIL ENGINEERS) 7, Section 12.8.1.1.
Modify ASCE 7, Section 12.8.1.1 by amending Equation 12.8-5 as follows:

$$C_s = 0.044 S_{DS} I \geq 0.01 \quad (\text{Eq. 12.8-5})$$

REASONS FOR AMENDMENT:

Re-adoption from previous code.

ADD SECTION 1613.9 TO CBC SECTION 1613:

1613.9 ASCE 7, Section 12.8.7. Amend Equation 12.8-16 as follows:

$$\theta = \frac{P_x \Delta I}{V_x h_{xx} C_d} \quad (\text{Eq. 12.8-16})$$

REASONS FOR AMENDMENT:

The importance factor, *I*, was omitted from Equation 12.8-16 by mistake while transcribing it from the 2003 NEHRP (*National Earthquake Hazards Reduction Program*) Recommended Provisions (FEMA (*Federal Emergency Management Agency*) 450) Equation 5.2-16. For buildings with importance factor, *I*, higher than 1.0, the stability coefficient should include the importance factor. The proposed modification is consistent with the provisions adopted by DSA-SS (Department of State Architects Structural Safety) and OSHPD (*Office of Statewide Health Planning and Development*) as reflected in Section 1615.10.7 of the 2010 California Building Code. It is also consistent with ASCE (*American Society of Civil Engineers*) 7-10 Equation 12.8-16 that will be adopted in the next code cycle. TUCC (Tri-Chapter Uniform Committee) had supported the proposed modification during the 2007 code adoption process. This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

AMEND – Amendment Modifications to CBC Section 1704.4– Special Inspection

Amend Section 1704.4 to read:

1704.4 Concrete Construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1704.4.

EXCEPTIONS: Special inspection shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less in height above the grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, *f*_c, no greater than 2,500 pounds per square inch (psi) (17.2 Mpa).

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2. Continuous concrete footings supporting walls of buildings three stories or less above grade plane that are fully supported on earth or rock where:
 - 2.1. The footings support walls of light-frame construction;
 - 2.2. The footings are designed in accordance with Table 1809.7; or
 - 2.3. The structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pounds per square inch (psi) (17.2 Mpa), regardless of the compressive strength specified in the construction documents or used in the footing construction.
3. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade, where the effective prestress in the concrete is less than 150 psi (1.03 Mpa).
4. Concrete foundation walls constructed in accordance with Table 1807.1.6.2.
5. Concrete patios, driveways and sidewalks, on grade.

REASON FOR AMENDMENT:

Results from studies after the 1994 Northridge earthquake indicated that a lot of the damage were attributed to lack of quality control during construction. The proposed amendment improves quality control during construction and therefore needs to be incorporated into the Code.

Revise CBC Section 1704.4 exception No. 1 to allow special inspection not to be required for isolated spread footing where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 psi.

This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

AMEND SECTION 1807.2 AS FOLLOWS: 1807.2 Retaining walls. Retaining walls shall be designed in accordance with Section 1807.2.1 through 1807.2.4

ADD 2010 CBC, SECTION 1807.2.4 TO READ AS:

1807.2.4 Retaining walls shall be constructed of concrete or masonry and be designed by a California State licensed engineer (Civil or Structural Engineer).

REASONS FOR AMENDMENT:

1. Geological I.
2. This existing amendment continues to be required by local conditions.

DELETE SECTION 1908.1.8 AND REPLACE AS FOLLOWS:

1908.1.8 ACI 318, section 22.10 Delete ACI 318, section 22.10, and replace with the following:

22.10 - Plain concrete in structures assigned to seismic design category C, D, E or F.

22.10.1- Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

- (a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception: In detached one and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

- (b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception: In detached one and two-family dwellings three stores or less in height and constructed with stud bearing walls, plain concrete with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross –sectional area of the footing.

REASONS FOR AMENDMENT:

The proposed amendment addresses the problem of poor performance of plain or under-reinforced concrete footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in 1994 Northridge earthquake.

AMEND SECTION 2301.2, METHOD 3 IS REVISED AS FOLLOWS:

Delete Exception

REASONS FOR AMENDMENT:

Geological I

AMENDS SECTION 2306.7 TO READ AS FOLLOWS:

2306.7 Shear walls sheathed with other materials. Shear walls sheathed with Portland cement plaster, gypsum lath, gypsum sheathing or gypsum board shall be designed and constructed in accordance with AP&PA SDPWS. Shear walls sheathed with these materials are permitted to resist horizontal forces using the allowable shear capacities set forth in Table 2306.7. Shear walls sheathed with portland cement plaster, gypsum lath, gypsum sheathing or gypsum board shall not be used to resist seismic forces in structures assigned to Seismic Design Category D, E or F.

Exception: Item 1, expanded metal or woven wire lath and portland cement plaster on studs spaced at 16 inches (406 mm) on center installed per Table 2306.7 is permitted for use in one story structures of R-3 and U occupancies in Seismic Design Category D.

REASONS FOR AMENDMENT:

1. Geological II.
2. The entire Santa Clara Valley is located in a highly active seismic zone. Gypsum wallboard and exterior Portland cement plaster have performed poorly during recent California seismic events. The shear values for gypsum wallboard and Portland cement stucco contained in the code are based on mono-directional testing. It is appropriate to limit the use of these products until cyclic loading testing are performed and evaluated.

AMENDS SECTION 2308.3.4 TO READ AS FOLLOWS:

Section 2308.3.4 Braced wall line support. Braced wall lines shall be supported by continuous foundations.

Exceptions:

1. One-story buildings with maximum plan dimension not exceeding 50 feet (15240 mm), may have continuous foundations located at exterior braced wall lines only.
2. Two-story buildings with a maximum plan dimension not exceeding 50 feet (15240 mm) may have braced wall lines supported on continuous foundations at the exterior walls only, provided:
 - a) Cripple walls do not exceed 4 feet (1219 mm) in height; and
 - b) Where the first story is supported on a raised wood framed floor, the interior braced wall panels are directly supported by either doubled joists, continuous 4x blocking or minimum 4x floor beams.

REASON FOR AMENDMENT:

Geological I

MODIFY THE TEXT OF SECTION 2308.9.3 TO BE REPLACED WITH THE FOLLOWING:

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2308.9.3 Bracing. Braced wall lines shall consist of braced wall panels, which meet the requirements for location, type and amount of bracing as shown in Figure 2308.9.3, specified in Table 2308.9.3(1) and are in line or offset from each other by not more than 4 feet (1219 mm). Braced wall panels shall start not more than 12.5 feet (3810 mm) from each end of a braced wall line. Braced wall panels shall be clearly indicated on the plans. Construction of braced wall panels shall be by one of the following methods:

1. Wood boards of 5/8-inch (15.9 mm) net minimum thickness applied diagonally on studs spaced not over 24 inches (610 mm) on center.
2. Wood structural panel sheathing with a thickness not less than 3/8-inch (7.9 mm) for 16-inch (406 mm) or 24-inch (610 mm) stud spacing in accordance with Tables 2308.9.3(2) and 2308.9.3(3).
3. Fiberboard sheathing 4-foot by 8-foot (1219 mm by 2438 mm) panels not less than 1/2-inch (13 mm) thick applied vertically on studs spaced not over 16-inches (406 mm) on center where installed with fasteners in accordance with Section 2306.6 and Table 2306.6.
4. Particleboard wall sheathing panels where installed in accordance with Table 2308.9.3(4).
5. Hardboard panel siding when installed in accordance with Section 2303.1.6 and Table 2308.9.3(5).

For cripple wall bracing see Section 2308.9.4.1.

For methods 1, 2, 3, 4, and 5, each braced wall panel must be at least 48-inches (1219 mm) in length, covering three stud spaces where studs are 16-inches (406 mm) apart and covering two stud spaces where studs are spaced 24-inches (610 mm) apart.

REASONS FOR AMENDMENT:

1. Geological II.
2. The entire Santa Clara Valley is located in a highly active seismic zone. Gypsum wallboard and exterior Portland cement plaster have performed poorly during recent California seismic events. The shear values for gypsum wallboard and Portland cement stucco contained in the code are based on mono-directional testing. It is appropriate to limit the use of these products until cyclic loading testing are performed and evaluated.

AMEND FIRST PARAGRAPH OF SECTION 2308.12.4 TO READ:

2308.12.4 Braced wall line sheathing. Braced wall lines shall be braced by one of the types of sheathing prescribed by Table 2308.12.4 as shown in Figure 2308.9.3. The sum of lengths of braced wall panels at each braced wall line shall conform to Table 2308.12.4. Braced wall panels shall be distributed along the length of the braced wall line and start at not more than 8 feet (2438 mm) from each end of the braced wall line. Panel sheathing joints shall occur over studs or blocking. Sheathing shall be fastened to studs, top and bottom plates and at panel edges occurring over blocking. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide [actual 1.5 inch (38 mm)] or larger members spaced a maximum of 16 inches on center. Nailing shall be minimum 8d common placed 3/8 inches from panel edges and spaced not more than 6 inches on center, and 12 inches on center along intermediate framing members.

REASONS FOR AMENDMENT:

Geological II.

AMEND Table 2308.12.4:

In footnotes “b” and “c” of Table 2308.12.4, delete all references to “gypsum board”, “lath and plaster”, “Portland cement plaster”, and “gypsum sheathing boards”.

REASONS FOR AMENDMENT:

Geological II.

AMEND SECTION 2308.12.5 TO READ:

2308.12.5 Attachment of sheathing. Fastening of braced wall panel sheathing shall not be less than that prescribed in Table 2308.12.4 or 2304.9.1. Wall sheathing shall not be attached to framing members by adhesives. All braced wall panels shall extend to the roof sheathing and shall be attached to parallel roof rafters or blocking above with framing clips (18 gauge minimum) spaced at maximum 24 inches (6096 mm) on center with four 8d nails per leg (total eight 8d nails per clip). Braced wall panels shall be laterally braced at each top corner and at maximum 24-inch (6096 mm) intervals along the top plate of discontinuous vertical framing.

REASONS FOR AMENDMENT:

Geological II.

AMEND – GYPSUM BOARD AND PLASTER

DELETE SECTION 2505 COMPLETELY.

REASONS FOR AMENDMENT:

Survey of structural failures after the Loma Prieta earthquake of 1989 showed the gypsum board, plaster and stucco finishes used for lateral force resistance performed poorly or failed completely. Further, once used to resist lateral forces, it is nearly impossible without completely replacing the material to achieve the initial design load resistance in these materials. To minimize the potential for increased fire-life safety problems associated with such seismic failures, this proposed modification increases the minimum acceptable shear resisting elements to be used for lateral designs and conventionally braced structures. Further, this continues a trend in and amongst local Bay Area jurisdictions that has been historically supported by the engineering community.

BUILDING CODE APPENDIX CHAPTERS TO BE ADOPTED:

The 2010 CBC is further amended by adopting the following Appendix chapters:

APPENDIX C - AGRICULTURAL BUILDINGS

APPENDIX G - FLOOD RESISTANT CONSTRUCTION (If any condition or requirements conflicts with FEMA, FEMA conditions shall govern.)

APPENDIX I - PATIO COVERS**APPENDIX J - GRADING****ADD SUB-SECTIONS TO SECTION J110 EROSION CONTROL TO READ:****Section J110.3 Erosion Control.**

- a. The applicant shall submit an Interim Erosion and Sediment Control Plan. This can be incorporated on the Grading Plan and shall include the following information:
 1. Maximum surface runoff from the site as calculated using the method approved by the Building Official.
 2. A delineation and brief description of the surface runoff and erosion control measures to be implemented including, but not limited to, types and methods of applying mulches to be used.
 3. A delineation and brief description of vegetative measures to be taken, including but not limited to, seeding methods, the type, location and extent of existing and undisturbed vegetation types, and a schedule for maintenance and upkeep.
- b. No improvements planned. Where an applicant does not plan to construct permanent improvements on the site, or plans to leave portions of the site graded but unimproved, applicant must:

1. Submit an Interim Plan designed to control runoff and erosion on the site for the period of time during which the site, or portions thereof, remain unimproved.
 2. Submit a request for release after the completion of grading.
- c. Work Schedule. The applicant must submit a master work schedule showing the following information:
1. Proposed grading schedule.
 2. Proposed conditions of the site on each July 15, August 15, September 15, and October 15 during which the permit is in effect.
 3. Proposed schedule for installation of all interim erosion and sediment control measures including, but not limited to, the stage of completion of erosion control devices and vegetative measures on each of the dates set forth in Subsection (2).
 4. Schedule for construction of final improvements, if any.
 5. Schedule for installation of permanent erosion and sediment devices where required.
- d. Season Work (October 15 to April 15).
1. For commencement of the grading during the wet season, applicant must provide special documentation, as required by Building Official, showing the reasons other than financial, for the need to commence at that time.
 2. For continuation of activities, other than installation, maintenance or repair of measures in the interim or final plans, during the wet season, permittee must apply for and receive in writing from the Building Official, every five (5) working days, special permission to proceed.
 3. The Building Official shall grant permission under this subsection on the basis of weather forecasts, experience and other pertinent factors, which indicate the activity, may occur without excessive erosion occurring.

REASON FOR AMENDMENT:

Geological II.

ADD NEW SECTION J110.4 TO READ:

Section J110.4 Dust and Mud Control Measures. Contractors performing grading operations within the City where dry conditions or wet conditions are encountered shall adequately and effectively control dust or mud from spreading off site or onto existing structures on site. Prior to commencement of grading operations, contractor shall furnish details of proposed dust or mud control measures to the Building Official for approval. Failure to control dust or mud from grading operations shall result in suspension of grading operations until adequate measures are in place to allow continuance.

REASON FOR AMENDMENT:

Geological II.

ADD NEW SECTION J110.5 TO READ:

Section J110.5 Archeological Discovery. If in the course of any grading operation, any artifacts, human remains, or substantial fossils are discovered, all grading operations shall cease, and the discovery site shall be suitably marked and protected from further damage. A report of such findings shall be as outlined in the Zoning Ordinance. Specifically, if human remains are discovered, the Sheriff-Coroner and the Building Official shall be notified. If no human remains are discovered, but artifacts or significant fossils are discovered, the Building Official shall be notified.

REASON FOR AMENDMENT:

Geological II.

ADD NEW SECTION J110.6 TO READ:

Section J110.6.1 Work Stoppage. Whenever the Building Official determines that the work does not comply with the terms of the permit or of this Ordinance Section, he or she may order the immediate cessation of all work hereunder until such corrective measures have been completed.

Section J110.6. 2 Right of Entry. Whenever the Building Official or designated subordinate(s) have reasonable or probable cause to believe that there exists accelerated erosion and/or a violation of this Ordinance Section, he/she may enter such site at all reasonable times to inspect the same, to perform any duty imposed upon him/her by this Ordinance Section; providing that if such premises are occupied, he/she shall first present proper credentials and request entry, and if the premises are found to be unoccupied, he/she shall first make a reasonable effort to locate the owner or other person having charge or control of said premises and request entry. If such entry is refused or the owner or person having charge or control cannot be located after reasonable effort, the Building Official shall have recourse to every remedy provided by law to secure entry and abate the erosion or violation.

Section J110.6.3 Notification of Violation. Any person found to be in violation of the provisions of this Ordinance Section shall be required to correct the problem upon written notification from the Building Official or designated subordinate(s). Such written notification may require that certain conditions be adhered to in the correction of the problem. These may include, but are not limited to, the following:

- a. Use of specific erosion control techniques

- b. Submittal of plans and specifications to be approved by the Community Development Department, and any other department affected by such work, prior to the commencement of corrective work.
- c. Completion of corrective work within a specified time period.

Section J110.6.4 Abatement of Violation. If the responsible party fails to act in response to written notification of the Building Official, the violation may be declared a public nuisance and be abated as required to restore the site to its original condition. Where there is an emergency condition of erosion or sediment damaging a waterway, marsh, or other body of water, or significant habitat or archeological site, the Building Official may have the necessary corrective work done and bill the property owner or lien the property for repayment.

Section J110.6.5 Penalties.

- a) Any person, whether as principal, agent, employee or otherwise, or firm or corporation violating, or causing or permitting the violation of any of the provisions of this Ordinance Section shall be subject to citations and penalties set forth in the Gilroy Municipal Code, Section 1.7, Section 6.16 and Chapter 6A.
- b) Each separate day or portion thereof during which any violation occurs or continues without a good faith effort by the responsible person to correct the violation, shall be deemed to constitute a separate offense.
- c) In addition to the above noted penalties, the Building Official is hereby authorized to attach an investigation fee up to twice the grading permit fee, to any such permit issued for corrective action.

Section J110.6.6 Enforcement. The Building Official and or his/her designated subordinate(s) is hereby authorized and directed to enforce all the provisions of this Ordinance Section. For such purpose, the Building Official shall have the powers of a law enforcement officer.

Section J110.6.7 Appeals. Any person who believes the Building Official has erred in the technical application of this Ordinance Section may appeal such action to the Building Board of Appeals.

REASONS FOR AMENDMENT:

- 1. Geological II.
- 2. This existing amendment continues to be required by local conditions.

SECTION V

The following modifications and changes as recommended by the Building Official are adopted to the California Residential Code, 2010 Edition, which is the 2009 International Residential Code as amended by the State of California:

AMEND SECTIONS 1.8.3, 1.8.4, 1.8.6, AND 1.8.7 AS FOLLOWS:

DELETE SECTIONS 1.8.3, 1.8.4, 1.8.6, AND 1.8.7.

REASONS FOR AMENDMENT:

Gilroy Municipal Code covers Right of Entry For Enforcement; Alternate Material, designs, Tests and Methods of Construction; and Appeals Board.

AMEND SECTION R109.1 Note AS FOLLOWS:

R109.1 Types of inspections. For onsite construction, from time to time the building official, upon notification from the permit holder or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as complete or shall notify the permit holder or his or her agent wherein the same fails to comply with this code. The building official upon notification of the permit holder or their agent within a reasonable time shall make the inspections, as minimum, set forth in Section R109.1.1, R109.1.1.1, R109.1.3, R109.1.4, R109.1.4.1, R109.1.5, R109.1.5.1, R109.1.5.2 and R109.1.6.

Note: Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the enforcing agency. Protection of joints and penetrations in fire-resistive assemblies shall not be concealed from view until inspected and approved. All wiring, mechanical, and plumbing appurtenances no longer in use shall be removed unless otherwise approved in writing by the Building Official.

REASON FOR AMENDMENT:

It is deemed to be unsafe to leave existing wiring, mechanical, and plumbing appurtenances when they are no longer used.

AMEND SECTION R301.1.1 AS FOLLOWS:

DELETE ITEM 1 OF THIS SECTION.

REASON OF AMENDMENT:
GEOLOGICAL II

AMEND SECTION 301.2.1.1 AS FOLLOWS:

DELETE ITEM 1 OF THIS SECTION.

REASON OF AMENDMENT:
GEOLOGICAL II

AMEND SECTION R303 AS FOLLOWS:

THE TITLE FOR THIS SECTION IS AMENDED TO READ AS FOLLOWS:

LIGHT, VENTILATION, HEATING, AND SOUND TRANSMISSION

ADD SECTION R303.9 OF CHAPTER 3 TO READ AS FOLLOWS:

R303.9 Sound transmission. For sound transmission control between attached dwelling units, see Section 1207 of the California Building Code.

REASON OF AMENDMENT:
GEOLOGICAL II

AMEND SECTION R313 AS FOLLOWS:

R313.1 EXCEPTION IS AMENDED AS FOLLOWS:

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed unless required by the Gilroy Fire Code or 2010 California Fire Code.

R313.2 EXCEPTION IS AMENDED AS FOLLOWS:

Exception: An automatic residential fire sprinkler system shall not be required for additions or alternatives to existing buildings that are not already provided with an automatic residential sprinkler system unless required by the Gilroy Fire Code or 2010 California Fire Code.

REASON FOR AMENDMENTS:
To be consistent with the Uniform Fire Code and Local Amendment.

AMEND FIRST PARAGRAPH AND THE EXCEPTION OF SECTION R403.1.3 TO READ AS:

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories D0, D1 and D2, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

R403.1.3 Exception: In detached one- and two-family dwellings which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

REASONS FOR AMENDMENT:

This proposed amendment to the CRC is made to be consistent with TUCC (Tri-Chapter Uniform Committee) amendment 3 that modifies the plain concrete provisions in CBC Section 1908.1.8 and ACI 318 Section 22.10.1.

This proposed amendment addresses the problem of poor performance of plain or under-reinforced concrete footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in 1994 Northridge earthquake.

AMEND SECTION R404.1.4.1 TO READ AS:

R404.1.4.1 Masonry foundation walls. In addition to the requirements of Table R404.1.1(1) plain masonry foundation walls in buildings assigned to Seismic Design Category D0, D1 or D2, as established in Table R301.2(1), shall comply with TMS 402/ACI 530/ASCE 5.

REASONS FOR AMENDMENT:

This proposed amendment to the CRC is made to be consistent with TUCC (TRI-CHAPTER UNIFORM COMMITTEE) amendment 3 that modifies the plain concrete provisions in CBC Section 1908.1.8 and ACI 318 Section 22.10.1. Plain masonry foundation walls were not specifically addressed in TUCC (TRI-CHAPTER UNIFORM COMMITTEE) amendment 3 but they are conceptually the same. Therefore this amendment requires that those masonry walls be designed in accordance with the recognized masonry design standard TMS 402/ACI 530/ASCE (AMERICAN SOCIETY OF CIVIL ENGINEERS) 5.

This proposed amendment addresses the problem of poor performance of plain or underreinforced concrete foundation walls during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern

California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in 1994 Northridge earthquake.

AMEND SECTION R404.1.4.2 TO READ AS:

R404.1.4.2 Concrete foundation walls. In buildings assigned to Seismic Design Category D₀, D₁ or D₂, as established in Table R301.2(1), concrete foundation walls that support light-frame walls shall comply with the latest ACI 318. this section, and concrete foundation walls that support above-grade concrete walls shall comply with ACI 318,

REASONS FOR AMENDMENT:


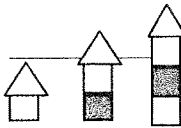
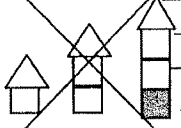
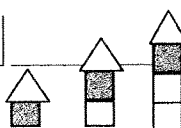
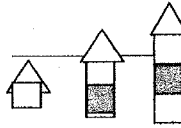
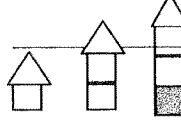
This proposed amendment to the CRC is made to be consistent with TUCC (TRI-CHAPTER UNIFORM COMMITTEE) amendment 3 that modifies the plain concrete provisions in CBC Section 1908.1.8 and ACI 318 Section 22.10.1.

This proposed amendment addresses the problem of poor performance of plain or underreinforced concrete foundation walls during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in 1994 Northridge earthquake.

AMEND TABLE R602.10.1.2(2) AND R602.10.2.1:

Add footnote "d" to the end of Table R602.10.1.2(2) and add the "d" footnote notation in the title of Table 602.10.1.2(2) after the three footnotes, to read:

Table R602.10.1.2(2)^{a,b,c,d}
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY
(AS A FUNCTION OF BRACED WALL LINE LENGTH)

SOIL CLASS D ^a WALL HEIGHT = 10FT 10 PSF FLOOR DEAD LOAD 15 PSF ROOF/CEILING DEAD LOAD BRACED WALL LINE SPACING ≤ 25 FT			MINIMUM TOTAL LENGTH (feet) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE			
Seismic Design Category (SDC)	Story Location	Braced Wall Line Length	Method LIB	Methods DWB, SFB, PBS, PCP, HPS	Method WSP	Continuous Sheathing
SDC D ₀ or D ₁		10	NP	3.0 6.0	2.0	1.7
		20	NP	6.0 12.0	4.0	3.4
		30	NP	9.0 18.0	6.0	5.1
		40	NP	12.0 24.0	8.0	6.8
		50	NP	16.0 30.0	10.0	8.5
		10	NP	6.0 NP	4.5	3.8
		20	NP	12.0 NP	9.0	7.7
		30	NP	18.0 NP	13.5	11.5
		40	NP	24.0 NP	18.0	15.3
		50	NP	30.0 NP	22.5	19.1
		10	NP	8.5	6.0	5.1
		20	NP	17.0	12.0	10.2
		30	NP	25.5	18.0	15.3
		40	NP	34.0	24.0	20.4
		50	NP	42.5	30.0	25.5
SDC D ₂		10	NP	4.0 8.0	2.5	2.1
		20	NP	8.0 16.0	5.0	4.3
		30	NP	12.0 24.0	7.5	6.4
		40	NP	16.0 32.0	10.0	8.5
		50	NP	20.0 40.0	12.5	10.6
		10	NP	7.5 NP	5.5	4.7
		20	NP	15.0 NP	11.0	9.4
		30	NP	22.5 NP	16.5	14.0
		40	NP	30.0 NP	22.0	18.7
		50	NP	37.5 NP	27.5	23.4
		10	NP	NP	NP	NP
		20	NP	NP	NP	NP
		30	NP	NP	NP	NP
		40	NP	NP	NP	NP
		50	NP	NP	NP	NP

For SI: 1 foot = 304.8 mm, 1 pound per square foot = 47.89 Pa.

- a. Wall bracing lengths are based on a soil site class "D." Interpolation of bracing length between the S_d s values associated with the seismic design categories shall be permitted when a site - specific S_d s value is determined in accordance with Section 1613.5 of the California Building Code.
- b. Foundation cripple wall panels shall be braced in accordance with Section R602.10.9.
- c. Methods of bracing shall be as described in Sections R602.10.2, R602.10.4 and R602.10.5.
- d. In Seismic Design Categories D_0 , D_1 , and D_2 , Methods LIB and GB are not permitted and the use of Method PCP is limited to one-story single-family dwellings and accessory structures.

ADD SUBSECTION R602.10.2.1.1 TO READ:

R602.10.2.1.1 Limits on methods GB and PCP. In Seismic Design Categories D_0 , D_1 , and D_2 , Method GB and PCP is not permitted for use as intermittent braced wall panels.

REASON FOR AMENDMENT:

The Proposed amendment addresses the problem of poor performance of gypsum wallboard and Portland cement plaster as wall bracing materials in high seismic areas. This amendment reflects the recommendations by the structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of these bracing materials that were observed in 1994 Northridge earthquake.

CALIFORNIA RESIDENTIAL CODE APPENDIX CHAPTERS TO BE ADOPTED:

APPENDIX H – PATIO COVERS

APPENDIX K – SOUND TRANSMISSION

SECTION VI

The following modifications and changes as recommended by the Building Official are adopted to the California Electrical Code, 2010 Edition.

AMEND 2010 CEC Article 110.26(C) Access and Entrance to Working Space.

AMENDED TO READ:

For equipment rated 1200 amperes or more and over 6 ft. (1.83 m) wide that contains overcurrent devices, switching devices, or control devices, there shall be one entrance not less than 24 in. (610 mm) wide and 6 ½ ft. (1.98 m) high at each end of the working space. Where the entrance has a personnel door(s), the door(s) shall open in the direction of egress and be equipped with panic bars, pressure plates or other devices that are normally latched but open under simple pressure.

ORDINANCE NO. 2010-17

REASONS FOR AMENDMENT:

1. Geological I.
2. Added safety precautions for our seismic area in the event of a cataclysmic failure of electrical equipment and the personnel exposed to such event would have a safer source of egress from such space or area.

SECTION VII

The following modifications and changes as recommended by the Building Official are adopted to the California Mechanical Code, 2010 Edition, which is the 2009 Uniform Mechanical Code with California amendments:

AMEND 2010 CMC SECTION 1201.2.7.2.2 WALL THICKNESS AMENDED TO READ:

Tubing shall be at least Type K for condensate return lines, and Type L for steam condenser cooling water lines, underground water lines, and above ground water lines. Type M shall not be used

REASONS FOR AMENDMENT:

1. Geological II.
2. Most of the surface soils in the Santa Clara Valley are relatively young and unconsolidated sedimentary materials formed from a wide variety of parent materials. The varying chemical composition, degree of weathering, and the relatively acid environment have created soils of varying types, which are particularly corrosive in nature.

SECTION VIII

The following modifications and changes as recommended by the Building Official are adopted to the California Plumbing Code, 2010 Edition, which is the 2009 Uniform Plumbing Code with California amendments and Appendix A, Appendix B, Appendix D, Appendix I, and Appendix K:

AMEND 2010 CPC SECTION 604.2 EXCEPTION.

DELETE SECTION 604.2 EXCEPTION.

AMEND 2010 CPC SECTION 609.3 TO READ:

609.3 Water piping shall not be installed in or under a concrete floor slab within a building without prior approval of the Administrative Authority. When approved, such piping shall be installed as follows, but not limited to the following requirements:

REASONS FOR AMENDMENT:

Most of the surface soils in the Santa Clara Valley are relatively young and unconsolidated sedimentary materials formed from a wide variety of parent materials. The varying chemical composition, degree of weathering, and the relatively acid environment have created soils of varying types, which are particularly corrosive in nature.

AMEND 2010 CPC SECTION 609.3**ADD SECTION TO READ:**

609.3.3 Piping installations in or under a concrete floor slab will be installed within a chase or conduit for easy replacement, to the satisfaction of the Administrative Authority.

REASONS FOR AMENDMENT:

1. Most of the surface soils in the Santa Clara Valley are relatively young and unconsolidated sedimentary materials formed from a wide variety of parent materials. The varying chemical composition, degree of weathering, and the relatively acid environment have created soils of varying types, which are particularly corrosive in nature.
2. Much of the surface soils in the Santa Clara Valley are highly expansive (i.e., shrink - swell behavior) and has low bearing strength. There are two types of expansive soils in the area:
 - a. The organic silty clays which are the recent bay muds; and
 - b. The plastic silty clays, which weather from the shale, found in the hills surrounding Santa Clara Valley.
3. The local climate is characterized by markedly delineated rainy and dry seasons, which tend to maximize the expansive characteristics of soil.
4. Some parts of Santa Clara Valley have hard water, which is corrosive to ferrous pipe.
5. The groundwater table is unusually high in many places.

6. The Santa Clara Valley is in a highly active seismic area.

AMEND 2010 CPC SECTION 609.4 TESTING TO READ.

Upon completion of a section or of the entire hot and cold water supply system, it shall be tested and proved tight under a water pressure not less than 100 psi. The water used for tests shall be obtained from a portable source of supply. A fifty (50) pound per square inch (344.5 kPa) air pressure may be substituted for the water test. In either method of test, the piping shall withstand the test without leaking for a period of not less than fifteen (15) minutes.

REASONS FOR AMENDMENTS:

1. Geological II.
2. This existing amendment continues to be required by local conditions.

AMEND 701.1.2.2 [HCD 1 & HCD 2] TO READ:

ABS and PVC installations are limited to not more than two stories in areas of residential accommodation in a three story building. ABS and PVC are not allowed in any story of a four or more story building.

REASON FOR AMENDMENT:

Geological II.

AMEND 2010 CPC SECTION 719 Clean-outs.

ADD NEW SECTION TO READ:

719.1.1 A clean-outs shall be installed on private property adjacent to property line where the private sewer system connects to the public sanitary sewer lateral. All such line clean-outs shall be extended to grade with materials according to specifications approved by the Administrative Authority and terminate within a concrete box.

Exception: If the lateral does not exceed 50 ft. from the middle of the public road to the building drain clean-out and the building drain clean-out is provided with an approved directional two way fitting. In addition, the run must be substantially straight with less than an aggregate change of direction not to exceed 135 degrees.

REASONS FOR AMENDMENT:

1. Geological II.
2. The Santa Clara Valley soils are expansive in nature. These expansive soils create unstable conditions, which increase the potential of breaks in sewer laterals. To maintain health and sanitary services, it is necessary to gain access, to periodically maintain public sanitary laterals. This is accomplished by the additional clean-out as required above.

AMEND 2010 CPC SECTION 1209.5.3 TO READ:

1209.5.3.4 Corrugated stainless steel tubing shall be allowed in residential attic spaces only and shall be tested and listed in compliance with the construction, installation, and performance requirements of CSA LC-1, *Standard for Fuel Gas Piping Systems Using Corrugated Stainless Steel Tubing*. [NFPA 54;5.6.3.4]

REASON FOR AMENDMENT:

Geological II.

SECTION IX**2009 International Property Maintenance Code**

The following modifications and changes are recommended prior to adopting this code.

The codes, standards and references in this code should be revised as follows;

Delete the following references	Insert the following code references
<ul style="list-style-type: none"> • International Building Code • International Mechanical Code • National Electrical Code • International Fire Code • International Plumbing Code • International Existing Building Code • International Zoning Code • International Fuel Gas Code • Name of Jurisdiction • Jurisdiction to insert appropriate schedule • Board of appeals 	<ul style="list-style-type: none"> • 2010 California Building Code & 2010 California Residential Code • 2010 California Mechanical Code • 2010 California Electrical Code • 2010 California Fire Code • 2010 California Plumbing Code • 2010 California Existing Building Code • City of Gilroy Zoning Ordinance • No reference • City of Gilroy • Current City of Gilroy Comprehensive fee schedule • Hearing Officer

AMEND International Property Maintenance Code herein after 2009 IPMC**Section 104.3 Right of Entry**

Add the following paragraph:

“Any and all costs incurred by the city in connection with securing lawful entry to a structure or premise including but not limited to, costs of investigation, staffing costs incurred in the preparation of warrants, and all subsequent costs necessary to enforce compliance with the provisions of this Code may be recovered including late payment charges and costs of collection by use of any and all available legal means.”

REASONS OF AMENDMENT:

1. To clarify the process of cost recovery where the Right of Entry for inspection of a premise or structure is refused.

AMEND 2009 IPMC Section 106.1

Amended to read:

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done in violation of this code and the technical codes.

REASONS OF AMENDMENT:

1. To agree with 2010 California Building Code Sec. 114.1.

AMEND 2009 IPMC Section 107.4

Amended to read:

107.4 Unauthorized tampering. Placards, notices, signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed, tampered with, or removed without authorization from the code official. Any person violating this subsection shall be guilty of a misdemeanor.

REASONS OF AMENDMENT:

1. To include the terms "Notices" and "Placards" referenced in 2009 IMPC 108.3 & 108.4 and comply with 1997 Uniform Housing Code Sec. 1104.2 and 1997 Abatement of Dangerous Buildings Section 404.1.

AMEND 2009 IPMC Section 108.1

Delete the word:

"condemned"

Replace with the words:

"posted in accordance with this section and declared to be a public nuisance and the violations shall be abated by repair, rehabilitation, demolition or removal"

REASONS OF AMENDMENT:

1. The section focused on condemnation only, revised it to more closely follow the language from Section 202 of the Dangerous Building Code.

AMEND 2009 IPMC Section 108.1.4

Amended to read:

108.1.4 Unlawful structure. An unlawful structure is; one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered, occupied or maintained contrary to law; or one that is partially constructed, reconstructed or demolished upon which work is abandoned. Work is deemed abandoned when there is no valid building or demolition permit.

REASONS OF AMENDMENT:

1. To include a portion of 1997 Dangerous Building Code Section 302 (18)

AMEND 2009 IPMC Section 108.2

Delete the word:
“of condemnation”

REASONS OF AMENDMENT:

1. The section referenced posting the structure for condemnation only however we post several different types of placards.

AMEND 2009 IPMC Section 108.3

Amended to read:

108.3 Notice. Whenever the code official posts a structure, equipment or premise under the provisions of this section, the posting shall be in a conspicuous place in or about the affected structure, equipment or premise and a notice in the form specified in Section 107.2 shall be served on the owner or person or persons responsible for the structure, equipment or premise. If the posting pertains to equipment, it shall also be placed on the equipment.

REASON OF AMENDMENT:

1. The section focused on posting structures or equipment for condemnation only however we use several different types of posting.

AMEND 2009 IPMC Section 108.4

Amended to read:

108.4 Placarding. When the code official determines a structure, equipment or premise has been erected, constructed, enlarged, altered, repaired, moved, improved, removed, damaged, converted or demolished, equipped, used, occupied or maintained in violation of this code or the technical codes and the structure, equipment or premise constitutes a danger to the life, limb, property or safety of the public or the occupants, the code official shall post a placard on the structure, equipment or premise in a conspicuous place in or about the affected structure, equipment or premise. The placard shall clearly state the code official’s Order regarding the structure, equipment or premise, and specify the conditions which necessitated the posting.

REASON OF AMENDMENT:

1. The section focused on posting structures or equipment for condemnation only however we use several different types of posting.

AMEND 2009 IPMC Section 108.4.1

Amended to read:

108.4.1 Placard removal. The code official shall remove the placard whenever the defect or defects upon which the placarding action was based has been eliminated. Any person who defaces or removes a placard without the approval of the code official shall be subject to the penalties provided by this code.

REASONS OF AMENDMENT:

1. The section focused on posting structures or equipment for condemnation only however we use several different types of placards/postings.

AMEND 2009 IPMC Section 108.5

Amended to read:

108.5 Prohibited occupancy. It shall be unlawful for any person, owner, or person responsible for the premise to occupy or allow to be occupied a placarded structure or premise or operate placarded equipment in violation of the code officials posted order.

REASONS OF AMENDMENT:

1. The section focused on posting structures or equipment for condemnation only however we use several different types of posting.

AMEND 2009 IPMC Section 111.1

Amended to read:

111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the hearing officer, provided that a written application for appeal is filed within 30 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

REASONS OF AMENDMENT:

1. Gilroy Municipal Code chapter 6A has already established an appeal process through the Administrative Hearing Officer.

DELETE 2009 IPMC Section 111.2 Membership Of The Board through Section 111.6.2 Administration

REASONS OF AMENDMENT:

1. Gilroy Municipal Code chapter 6A has already established an appeal process through the Administrative Hearing Officer.

AMEND 2009 IPMC Section 112.4

Delete the words:

“liable to a fine of not less than[AMOUNT] dollars or more than [AMOUNT] dollars.

Replace with the words:

“liable for penalties pursuant to Gilroy Municipal Code Sec 1.7”

REASONS OF AMENDMENT:

1. Gilroy Municipal Code Sec 1.7 has already established penalty amounts for violations of City code.

AMEND 2009 IPMC Section 202

Amended to read:

202 GARBAGE. Garbage shall be defined pursuant to Gilroy Municipal Code Sec. 12.1.

REASONS OF AMENDMENT:

1. Gilroy Municipal Code Sec 12.1 has already defined this term.

AMEND 2009 IPMC Section 202

Amended to read:

202 RUBBISH. Rubbish shall be defined pursuant to Gilroy Municipal Code Sec. 12.1.

REASONS OF AMENDMENT:

1. Gilroy Municipal Code Sec 12.1 has already defined this term.

AMEND 2009 IPMC Section 302.1

Amended to read:

302.1 Sanitation. The property owner shall maintain the property exterior and premises in a clean, safe and sanitary condition. Such owner shall remain liable for violations thereof regardless of any contract or agreement with any third party regarding such property. The owner of any building lot or premises within the City where a business, trade or profession has established a fixed place of business pursuant to Gilroy Municipal Code Section 13.1(b) shall also comply with the requirements of Municipal Code Section 5B.2(d)(1).

REASONS OF AMENDMENT:

1. The property owner is always held responsible for the proper maintenance of their property.

AMEND 2009 IPMC Section 302.2 Grading and drainage

Add the following sentence at the end of the paragraph:

“Excess or concentrated drainage shall be contained on site or directed to the nearest practicable drainage facility approved by the code official.”

REASONS OF AMENDMENT:

1. To comply with 2010 California Building Code Section J109.4

AMEND 2009 IPMC Section 302.3 Sidewalks and driveways

Add the following paragraph:

“The owner of any building, lot or premises within the city shall maintain the sidewalks and/or walkways located upon such premises that are accessible to the general public and the public sidewalks between such premises and any adjacent public street or alley in a clean, safe and sanitary condition. Maintenance shall include the removal and proper disposal, by methods approved by the City of Gilroy, of any unsightly and unsanitary conditions such as accumulations of garbage, refuse, rubbish, litter, dirt, gum or other sticky substances or items, which have been dropped or spilled upon the sidewalks. Where said unsightly or unsanitary conditions have been created or caused by the owner of such building, lot or premises, whether upon the sidewalks and/or walkways located upon his premises or the public sidewalks between such premises and any adjacent public street or alley, or the sidewalks adjacent to buildings, lots or premises in the vicinity, the owner shall immediately restore the sidewalks and/or walkways to a clean, safe and sanitary condition.”

REASONS OF AMENDMENT:

1. This amendment clarifies specific exterior property area requirements referenced by Section 302.1 Sanitation.

AMEND 2009 IPMC Section 302.4 Weeds, paragraph 1

Amended to read:

302.4 Weeds. No owner, agent, lessee or occupant or other person having charge or control of any building, lot or premises within the city shall permit excess weeds to remain or accumulate upon such premises or upon public sidewalks or streets or alleys between such premises and the centerline of any public street or alley. All noxious weeds shall be prohibited. Weeds shall be defined per Municipal Code Section 12.45.

REASONS OF AMENDMENT:

1. This section revised to comply with Municipal Code Section 12.45 and 12.46

AMEND 2009 IPMC Section 302.8 Motor vehicles, Exception:

Amended to read:

302.8 Exception: An owner, lessee, or occupant of the property may repair, wash, clean, or service personal property, provided they comply with Gilroy Zoning Ordinance and Municipal Codes requirements.

REASONS OF AMENDMENT:

1. This section revised to comply with Zoning Ordinance & Municipal Code requirements.

AMEND 2009 IPMC Section 303.2 Enclosures, first sentence

Amended to read:

303.2 Enclosures. Except as provided for in other regulations, private swimming pools, hot tubs, spas and ponds, containing water more than 18 inches (457 mm) in depth shall be completely surrounded by a fence or barrier at least 60 inches (1524 mm) in height above the finished ground level measured on the side of the barrier away from the pool pursuant to City Gilroy Pool Safety Policy No. I-4.

REASONS OF AMENDMENT:

1. To comply with City Gilroy Pool Safety Policy No. I-4.

AMEND 2009 IPMC Section 303.2 Enclosures, last sentence

Amended to read:

“No existing pool enclosure shall be removed, replaced, changed or maintained in a manner that reduces its effectiveness as a safety barrier.”

REASONS OF AMENDMENT:

1. To comply with City Gilroy Pool Safety Policy No. I-4.

DELETE 2009 IPMC Section 304.3 Premises identification.**REASONS OF AMENDMENT:**

1. Gilroy Municipal Code Section 6.24(b)(1) has already established a standard for premise identification.

AMEND 2009 IPMC Section 304.14 Insect Screens, first sentence

Delete the words:

“During the period from [DATE] to [DATE],”

AMEND 2009 IPMC Section 304.15 Doors, first sentence

Amended to read:

304.15 Doors. All exterior doors, door assemblies including weather stripping and hardware shall be maintained in good condition.

REASONS OF AMENDMENT:

1. To comply with California Health and Safety Code Section 17920.3.

AMEND 2009 IPMC Section 304.16

Amended to read:

304.16 Under-Floor areas. Under-floor access doors and ventilation openings shall be maintained to prevent the entrance of rodents, rain and surface drainage water. Doors shall be tight fitting and ventilation openings shall be properly screened with corrosion-resistant wire mesh having openings not exceeding ¼ inch in any dimension or alternate approved materials pursuant to 2010 CBC 1203.3.1

REASONS OF AMENDMENT:

1. To comply with California Health and Safety Code Section 17920.3.

AMEND 2009 IPMC Section 304.18.2

Amended to read:

304.18.2 Windows. Operable windows located in whole or in part within 12 feet above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device. Vacant/abandoned buildings shall provide internal window coverings to prevent easy view of the building interior.

REASONS OF AMENDMENT:

2. To comply with California Civil Code Section 1941.3(a)2

AMEND 2009 IPMC Section 308.3.1

Amended to read:

308.3.1 Garbage facilities. The owner of every dwelling shall be responsible for providing an approved leak-proof, covered, outside garbage receptacle for each dwelling unit pursuant to Gilroy Municipal Code Section 12.18. Receptacles shall be placed in the proper area for collection the evening prior to collection and shall be removed and stored in the side yard adjacent to the house or garage the morning after. Where the code official repeatedly finds a site in violation of Municipal code section 5B.2(2) or 5C.7 he or she may require the property owner to provide additional or larger outside garbage containers for the dwelling unit to use.

REASONS OF AMENDMENT:

1. To comply with Gilroy Municipal Code Chapter 5 and Section 12.18 and 12.19.

AMEND 2009 IPMC Section 309.1

Amended to read:

309.1 Infestation. All structures shall be kept free from insect, rodent and vermin infestation. When an insect, rodent or vermin infestation is brought to the attention of the code official, he or she may require the owner or agent having charge or control of the building, lot or premise to hire an exterminator or other qualified professional to inspect the building, lot or premise and provide a written report verifying the presence and severity of such infestation including in the report a recommendation for proper extermination of the infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

REASONS OF AMENDMENT:

1. California Health and Safety Code Sec 17920.3(12) states "Infestation of insects, vermin, or rodents as determined by the health officer." renders

dwelling units substandard. The language has been edited to clarify the process.

AMEND 2009 IPMC Section 309.2

Amended to read:

309.2 Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure. The owner of a structure or premise containing a dwelling unit, multiple occupancy, rooming house or a nonresidential structure shall be responsible for maintaining the structure and premise in a rodent or pest-free condition. If an infestation is caused by an occupant substantially failing to properly maintain their occupied area of the structure or premise "as clean and sanitary as the condition of the structure or premise permits". For as long as the occupants failure either substantially causes an unlivable condition to occur, or substantially interferes with the owners ability to repair the condition, the owner does not have to repair the condition. Where the infestation is caused by defects in the structure, the owner shall be responsible for extermination.

REASONS OF AMENDMENT:

1. To agree with California Civil Code Section 1941.2(a)

DELETE 2009 IPMC Section 309.3 Single Occupant through Section 309.5 Occupant

REASONS OF AMENDMENT:

1. Comply with California Tenants Handbook guidelines.

AMEND 2009 IPMC Section 505.4

Delete the words:

"adequate combustion air is provided"

Replace with the words:

"the installation complies with Chapter 5 of the 2010 California Plumbing Code and Section 904.0 of the 2010 California Mechanical Code"

REASONS OF AMENDMENT:

1. To comply with 2010 California Plumbing and Mechanical code requirements.

DELETE 2009 IPMC Section 602.2 Residential occupancies; Exception: only

REASONS OF AMENDMENT:

1. The Uniform Housing Code has always used 70 degrees as the standard. The IPMC has revised this standard to 68 degrees and the exception creates a reduction to 65 degrees. This is considered too low for this area.

AMEND 2009 IPMC Section 602.3 Heat Supply

Delete the words:

“during the period from [DATE] to [DATE],”

DELETE 2009 IPMC Section 602.3 Heat Supply; Exceptions: 2. only

REASONS OF AMENDMENT:

1. The Uniform Housing Code has always used 70 degrees as the standard. The IPMC has revised this standard to 68 degrees and the exception creates a reduction to 65 degrees. This is considered too low for this area.

DELETE 2009 IPMC Section 602.4 Occupiable work spaces

Reason for amendment:

1. Primarily enforced by Cal OSHA

AMEND 2009 IPMC Section 604.3

Amended to read:

604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation including the improper use of extension cords as permanent wiring, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

REASONS OF AMENDMENT:

1. To comply with Electrical Code requirements.

AMEND 2009 IPMC Section 702.1 General

Replace the words:

“International Fire Code”

With:

“2010 California Fire Code, and 2010 California Building Code”

SECTION X

Section 6.1 of Chapter 6 of the Gilroy City Code is hereby amended to read:

Sec. 6.1 Construction Codes Adopted.

For the purpose of setting forth proper regulations for the protection of the public health, safety and welfare, regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion,

ORDINANCE NO. 2010-17

demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures in the city, providing for the issuance of permits and collection of fees therefore, declaring and establishing fire districts and providing penalties for the violation thereof, the following uniform construction codes are adopted, as amended, to apply in the City of Gilroy:

- A. The 2010 California Building Code.
- B. The 2010 California Residential Code
- C. The 2010 California Electrical Code.
- D. The 2010 California Mechanical Code.
- E. The 2010 California Plumbing Code.
- F. The 2010 California Energy Code
- G. The 2010 California Historical Building Code.
- H. The 2010 California Fire Code.
- I. The 2010 California Existing Building Code with Appendices A1, A, A3, A4, and A5 of the 2009 International Existing Building Code.
- J. The 2010 Green Building Standards Code.
- K. The 2009 International Property Maintenance Code with Appendix A

The latest edition of each of the above codes shall be submitted to the Council from time to time together with changes or modifications as are reasonably necessary because of local climatic, geological, or topographical conditions, or as otherwise permitted by state law. The City Council may by ordinance approve these and other uniform construction codes as they may exist from time to time and changes and modifications thereto. The ordinance shall be kept on file in the office of the City Clerk for public review.

SECTION XI

The City Council hereby directs staff to include in the record any and all documents setting forth facts and findings for adoption of the uniform codes and appendices and amendments and changes thereto as set forth herein.

SECTION XII

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Gilroy hereby declares that it would have passed and adopted this Ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION XIII

This Ordinance shall be in full force and effect thirty (30) days after its passage and adoption.

The Codes and amendments to the Codes adopted hereunder shall take effect on January 1, 2011.


PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
GILROY this 15th day of November, 2010 by the following vote:

AYES: COUNCILMEMBERS: ARELLANO, DILLON, WOODWARD and
PINHEIRO

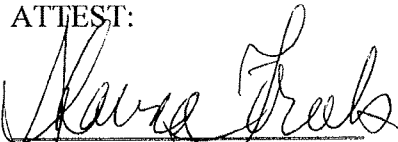
NOES: COUNCILMEMBERS: GARTMAN, TUCKER

ABSENT: COUNCILMEMBERS: BRACCO

APPROVED:



Albert Pinheiro, Mayor

ATTEST:


Shawna Freels, City Clerk

I, SHAWNA FREELS, City Clerk of the City of Gilroy, do hereby certify that the attached Ordinance No. 2010-17 is an original ordinance, or true and correct copy of a City ordinance, duly adopted by the Council of the City of Gilroy at a regular meeting of said Council held on the 15th day of November, 2010, at which meeting a quorum was present.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this 16th day of November, 2010.


Shawna Freels, CMC
City Clerk of the City of Gilroy

(Seal)

I, SHAWNA FREELS, City Clerk of the City of Gilroy, do hereby certify that the attached Ordinance No. 2010-17 is an original resolution, or true and correct copy of a city resolution, duly adopted by the Council of the City of Gilroy at a regular meeting of said Council held on the 15th day of November, 2010, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this 11th day of January, 2011.


Shawna Freels, CMC
City Clerk of the City of Gilroy

(Seal)

